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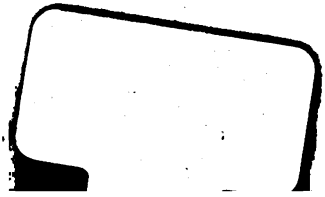

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THE

PARLIAMENTARY

OR

CONSTITUTIONAL

History of England,

From the earliest TIMES,

TO THE

Restoration of King CHARLES II.

COLLECTED

From the RECORDS, the ROLLS of Parliament, the JOURNALS of both Houses, the Public LIBRARIES, Original MANUSCRIPTS, scarce SPEECHES, and TRACTS; all compared with the several Contemporary Writers, and connected, throughout, with the History of the Times.

By SEVERAL HANDS.

THE SECOND EDITION.

IN TWENTY-FOUR VOLUMES.

VOL. VI.

From the Twenty-First Year of King *James* I. to the Second of King *Charles* I.

LONDON,

Printed for J. and R. TONSON, and A. MILLAR, in the *Strand*; and W. SANDBY, in *Fleet-street*.

M DCC LXIII.

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THE

PARLIAMENTARY HISTORY

OF

ENGLAND.

BEFORE we enter into the Proceedings of this Parliament, it may be neceſſary to take a View of the State of the Peerage at this Time; which the Reader will find much enlarged from the Liſt at the Beginning of this Reign. But this was nothing to the Number of *Scotch* and *Iriſh* Lords the King made, from *Engliſh* private Gentlemen, who had Ambition enough to purchaſe thoſe Titles, in order to get a Step higher than the new Degree of Baronets, created alſo in this Reign. This gave great Diſguſt to the *Engliſh* Peerage; and near Forty of that Order joined in a Petition to the King, to remonſtrate the Inconvenience of ſuch Proceedings. Which Petition had ſuch Effect, That though it did not derogate from the Dignity of thoſe already created, yet the King willingly reſtrained himſelf for the Time to come (*a*).

A new Parliament called, An. 21 James I. 1623. At Weſtminſter.

(*a*) *Wilſon in Kennet*, p. 747.

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An. 21 James I. 1623. **A** LIST *of all the* PEERS *of* England, *called to Parliament*, Anno 1623, 21 JAMES I. (*b*)

The State of the Peerage.

CHARLES, Prince of *Wales*, &c.
Lodowic, Duke of *Richmond*, Lord High-Steward of the Houſhold.
Lionel, Earl of *Middleſex*, Lord High-Treaſurer of *England*.
Thomas, Viſcount *Mandeville*, Preſident of the Council.
Edward, E. of *Worceſter*, Lord-Keeper of the Privy-Seal.
George, D. of *Buckingham*, Lord High-Admiral of *England*.
William, Marq. of *Winchester*.
Thomas, Earl of *Oxford*, Lord Great-Chamberlain.
Thomas, E. of *Arundel* and *Surrey*, Earl Marſhal of *England*.
James, E. of *Cambridge*, Steward of the Houſhold.
William, E. of *Pembroke*, Chamberlain of the Houſhold.
Henry, E. of *Northumberland*.
Charles, E. of *Nottingham*.
John, E. of *Shrewſbury*.
Henry, E. of *Derby*.
Francis, E. of *Rutland*.
Francis, E. of *Cumberland*.
Henry, E. of *Huntington*.
Edward, E. of *Bath*.
Henry, E. of *Southampton*.
Edward, E. of *Bedford*.
William, E. of *Hertford*.
Thomas, E. of *Suffolk*.
Richard, E. of *Dorſet*.
William, E. of *Salisbury*.
William, E. of *Exeter*.
Philip, E. of *Montgomery*.
John, E. of *Bridgewater*.
Robert, E. of *Leiceſter*.
William, E. of *Northampton*.
Robert, E. of *Warwick*.
William, E. of *Devon*.
Eſme, E. of *March*.
John, E. of *Holderneſs*.
Charles, E. of *Carliſle*.
William, E. of *Denbigh*.
John, E. of *Briſtol*.
Chriſtopher, E. of *Angleſey*.
Anthony, Viſcount *Montague*.
William, V. *Willingford*.
John, V. *Purbeck*.
William,

(*b*) From the *Lords Journals* and *Dugdale's Summons to Parliament*.

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William, V. *Mansfield.*
Thomas, V. *Colchester.*
V. *Rochford.*
Thomas, V. *Andover.*
Richard, V. *Tunbridge.*
Henry Nevile, Lord *Abergavenny.*
Mervin Touchet, L. *Audley.*
Edward, L. *Zouch.*
Robert Bertie, L. *Willoughby*, of *Eresby.*
Henry West, L. *De La War.*
George, L. *Berkeley.*
Henry Parker, L. *Morley* and *Montegle.*
Richard, L. *Dacres* and *Herst.*
Edward, L. *Strafford.*
Emanuel, L. *Scroop.*
Edward Sutton, L. *Dudley.*
Edward, L. *Stourton.*
Charles, L. *Herbert*, of *Shurland.*
John, L. *Darcey* and *Meinill.*
Edward, L. *Vaux.*
Thomas, L. *Windsor.*
Thomas, L. *Wentworth.*
John, L. *Mordaunt.*
Oliver, L. *St. John de Bletso.*
Thomas, L. *Cromwel.*
William, L. *Evers.*
Philip, L. *Wharton.*
Edmund, L. *Sheffield.*
William, L. *Paget.*
Dudley, L. *North.*
Theophilus, L. *Howard*, of *Walden*, Son to the E. of *Suffolk.* An. 21 James I. 1623.
Edward, L. *Wotton.*
Francis, L. *Russel*, of *Thornhaugh.*
Henry, L. *Grey*, of *Groby.*
William, L. *Petre.*
Henry, L. *Danvers.*
Robert, L. *Spenser.*
George, L. *Carew.*
William Fienes, L. *Say* and *Sele.*
Edward, L. *Denny.*
Charles, L. *Stanhope*, of *Harrington.*
Thomas, L. *Arundel* of *Wardour.*
John Holles, L. *Houghton.*
John Roper, L. *Tenham.*
Philip, L. *Stanhope*, of *Shelford.*
Edward, L. *Noel.*
Fulk Greville, L. *Brook.*
Edward, L. *Montague.*
Robert, L. *Carey*, of *Lepington.*
Henry Rich, L. *Kensington.*
John, L. *St. John*, of *Basing.*
William, L. *Grey*, of *Warke.*

Lay-Peers	93
Abps. and Bps.	26
In all	119

An. 21 James I. 1623. The Parliament being assembled on the 12th Day of *February*, they were, by Commission, adjourned to the 16th, and from thence, by another Commission, to the 19th of the same Month. These short Adjournments, we are told, by the Writer of this Reign, were occasioned by the sudden Death of the Duke of *Richmond*, who was found dead in his Bed, by his Lady (*c*), in the Morning of the first Meeting of the Parliament. This Nobleman, being a near Relation of the King's and a great Favorite, he was so struck with the Accident, that he put off the Solemnity of going and appearing in Parliament, as aforesaid. However, on the 19th, being all met again, and the Commons called up, the King was pleased to make the following Speech to them (*d*):

My Lords Spiritual and Temporal, and you that are Gentlemen of the House of Commons of this present Parliament,

The King's Speech at opening the Session.

'IT is a true Saying uttered by the Spirit of God, *That the Glory of a King stands in the Multitude of his People:* And I am sure it is as 'true, That the Strength of a Kingdom stands 'next, and immediately after God's Protection, in 'the Hearts of the People. That you may see 'and have a Proof that I have not this only in 'my Tongue, but have it likewise settled in my 'Heart, (as God can bear me Record every Way) 'I have called you at this Time to speak my 'Mind freely to you; for, remembering the Mis-'understandings between me and you before, I am 'now come hither with an earnest Desire to do 'the Duty which God hath called me unto, by 'declaring

(*c*) *Wilson* writes, That the Dutchess confessed to some of her Intimates, afterwards, That she experienced the Effects of his full Veins, the Night before. In *Kennet*, p. 777.

(*d*) This Speech is much curtailed and abridged in *Wilson* and *Rushworth*, for what Reason we know not; but it stands in this Manner in the *Journals*. The Doctrinal Part of it was agreeable to the Cant and outward Piety of the Times; for scarce a Member of Parliament made a Speech then, without beginning with a Text, or interlarding of it with many Quotations out of Holy Writ.

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'declaring unto you the Verity of this which God hath put into my Heart, and to manifeſt my Actions to be true by my Words. I remember very well, that it is a very fit Similitude for a King and his People to be likened to a Huſband and Wife; for, even as Chriſt, in whoſe Throne I ſit in this Part of the Earth, is the Huſband to the Church and the Church his Spouſe, ſo I likewiſe deſire to be your Huſband, and you ſhould be my Spouſe; and, therefore, as it is the Huſband's Part to cheriſh his Wife, to entreat her kindly, to reconcile himſelf towards her, and procure, by all Means, her Love, ſo it is my Part to do the like to my People. An. 21 James I. 1623.

'There are but two Ways for a King to ſhew his Love to his People; one, in the conſtant good Government of them during his Life; the other, by his Behaviour to their Repreſentative Body in Parliament. For the firſt, God knoweth, I deſire my Government may be performed, with an honeſt, juſt, true and ſincere Heart; and there is none of you that ſee or hear me this Day but have found the Fruit of it, one Time or other. For the other Part, belonging to the Repreſentative Body, which is now the Cauſe of calling you together, what greater Evidence can there be to ſhew Love between you and me, and between me and you, that are the Repreſentative Body, in a right Underſtanding, than, out of my own Mouth and Direction, to give you a Taſte of my Love and Care of you all?

'The Properties and Cauſes of calling a Parliament, (and ſo go the Writs) are to confer with the King, and give him their Advice in Matters of greateſt Weight and Importance. For this Cauſe I have now called you together, that ye may have Proof of my Love and of my Truſt, and give me your Advice, in the greateſt Matter that ever could concern a King; a greater Declaration of my Truſt in you I cannot give.

'I have been theſe many Years upon Treaties, as far as I thought (and God is my Witneſs I ne-

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An. 21 James I. 1623. ‘ver had any other Intention) for ſettling a Peace ‘in *Chriſtendom*, and ſettling a Peace at Home. ‘In theſe Treaties I went long on, but finding ‘them to have ſlower Succeſs than I expected, or ‘had Reaſon to do, I was willing, (and eſpecial‑ly in one Thing concerning the Eſtate of my ‘Grand-Children) to ſee a good and ſpeedy End.

‘In this, finding as great Promiſes as I could ‘wiſh, and yet finding their Actions quite con‑trary, it ſtirred up my Son to offer himſelf to ‘make that Journey; and, I thank God, having ‘him now here, I have no Cauſe to repent of it. ‘For, being of full Age and Ripeneſs for Mar‑riage, he urged me to know the Certainty, in a ‘Matter of ſo great Weight, that he might not be ‘put off with long Delays; for Delays, in ſuch ‘a Caſe, are more dangerous than Denials.

‘In it I was content (as a rare Example) to ‘grant his Deſire; and with him I, only, ſent the ‘Man whom I moſt truſted, *Buckingham*; com‑manding him never to leave him nor return ‘Home without him. I thank God for it, it hath ‘learned me Wiſdom; for, *in Generalibus verſatur Dolus*. I had general Hopes before, but Particu‑lars will reſolve Matters when Generals will not; ‘and, before this Journey, Things came to me as ‘raw as if I had never heard of them before. I ‘was as far diſappointed of my Ends as if I had ‘been waked out of a Dream; now I have put ‘it into a Certainty; and, whereas I walked in ‘a Miſt before, I have now brought it to Light. Now,

My Lords,

‘For the Particulars, they are gone ſo far as, ‘both in the Treaty of the Match and of the *Pa‑latinate*, that I know the utmoſt. I am reſolv‑ed upon what I am like to obtain, and have had ‘Promiſes and Projects, and ſome of them lately. ‘But, to ſhew the Truſt that I put in you, I am ‘content that my Secretaries, from the Informa‑tion and Aſſurance of my Son and *Buckingham*, ‘ſhall relate unto you all: And when you have

‘heard

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'heard all, *ſuper totam Materiam*, I ſhall then en- An. 21 James, 1623.
'treat your good and ſound Advice, for the Glo-
'ry of God, the Peace of the Kingdom, and the
'Good of my Children.

'Never King gave more Truſt to his Subjects
'than to deſire their Advice in Things of this
'Weight. For, I aſſure you, ye may freely ad-
'viſe me, ſeeing of my princely Fidelity, ye are
'intreated thereto. Never Subjects had better
'Hearts and Experience to give me good Advice
'than you; of which I make no Doubt, for, if
'you love yourſelves, you will give it me, your
'own Felicity depending upon it.

'One Particular I muſt remember you of, be-
'cauſe it hath been much talked of in the Coun-
'try, that I ſhould be ſlack in my Care of *Religion*
'for other Things.

My Lords, and you Gentlemen all,

'I pray you judge me charitably, as you would
'be judged; for, I never made public or private
'Treaties, but I always had a direct Reſervation
'for a Public-Weal and the Cauſe of Religion,
'for the Glory of God and Good of my Subjects.
'I only thought good ſometimes to wink and con-
'nive at the Execution of ſome penal Laws, and
'not to go on ſo rigorouſly as at other Times, but
'not to diſpenſe with any, or to forbid or alter any
'that concern Religion. I never promiſed or
'yielded, I never did think it with my Heart, nor
'ſpoke it with my Mouth.

'It is true, a ſkilful Horſeman doth not always
'uſe the Spur; but ſometimes the Bridle, and ſome-
'times the Spur: So a King, that governs wiſely,
'is not bound to carry a rigorous Hand over his
'Subjects, upon all Occaſions; but may ſome-
'times ſlacken the Bridle, yet ſo as his Hands be
'not off the Reins.

'So much for that Point, to be cleared upon all
'Occaſions. Now albeit it be a great Matter to
'require your Advice, yet, in this, I pray remem-
'ber the Weight of the Buſineſs. I cannot limit
'your Hours nor Days, but your own Hearts muſt

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An. 21 James I. 1623.

'do it; for every Man, by Nature, thinks the 'Time long here, according to his own Occasions 'at home. Therefore consider the State of *Christendom* and the State of my Grand Children, my 'own Estate, and the State of my Kingdom, the 'Treaties and all.

My Lords,

'It is not enough, altho' you are never so willing to give me your Advice; for to plant will not 'serve the Turn, if I, like a good Gardener, as 'well as plant, do not weed away from the Roots, 'and remove the Obstacles that hinder your so good 'Advice: Of which, the whole Weed and manifest Hindrance that can be, is your Jealousy of 'me: Free me from that, and, for my Actions, 'I dare avow them before God and his Angels. 'But Jealousy hath a deep Sting, take away that, 'and nothing can do me Harm: You are my Wife, 'and Jealousy is subject to a Wife; therefore remove it, and be not jealous of me.

'For Matters of Privileges, Liberties, and Customs, be not over curious; I am your own kindly 'King. Ye never shall find me curious in these 'Things: Therefore do what you ought, and no 'more than your lawful Liberties and Privileges 'will permit, and ye shall never see me curious to 'the contrary. I had rather maintain your Liberties than alter them in any Thing. Shew a 'Trust in me, and go on honestly as you ought 'to do, like good and faithful Subjects; and, what 'you have Warrant for, go on with, and I will 'not be curious, unless you give me too much 'Cause.

'The next Thing is, to beware that you take 'not in Hand the maintaining of idle Questions 'among you; which spoils good Business. Remember, beware of Genealogies and curious 'Questions, as St. *Paul* speaks; and do you keep 'to the Ground and Gravity of the great Business 'for which I called you; and next, for all other 'Things that are for the great and good Governing 'of the Kingdom. Let not any stir you up to

'Law-

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'Law-Queſtions, Debates, Quirks, Tricks and Jercks; but continue yourſelves in that honeſt Modeſty, whereby you may have my Prayers to God for you, and procure the Love of me, and an happy End to this Parliament. An. 21 Jacobi. 1623.

'God judge me, I ſpeak as a *Chriſtian* Prince, never Man, in a dry and ſandy Deſart, where no Water is, did thirſt more in hot Weather for Drink, than I do now for a happy Concluſion of this Parliament. I now hope, after the Miſcarriage of the laſt, that this may prove happy: I am neither curious nor captious enough to prevent it. Eſchew all Occaſions of curious Queſtions, which may hinder you in this great Cauſe for which I have called you; and remember, That ſpending of Time is ſpoiling of Buſineſs. And I hope in God, and that by a Faith in God, that, by your Actions this Parliament, I ſhall clearly ſee your Hearts; and that you are the true Repreſentative Body of my Subjects: For you know in your Conſcience, that of all the Kings that ever were, I dare ſay never was King better beloved by his Subjects than I am.

'Therefore, be you true Glaſſes and Mirrours of their Faces, and be ſure you yield the true Reflections and Repreſentations as you ought to do. And, this doing, I hope you ſhall not only find the Bleſſing of God; but alſo, by theſe Actions, procure the Thanks and Love of the whole People, for being ſuch true and faithful Glaſſes. Laſtly, you ſhall never find me deſire any Thing of you, but what ſhall tend to the common Good and Weal of the Kingdom.'

His Majeſty having ended his Speech, the Lord Keeper (*e*), by his Commands, directed the Commons to repair to their own Houſe, and chooſe a Speaker. The Names of Receivers and Tryers of Petitions, according to ancient Cuſtom, being alſo read, the Parliament was adjourned to *Saturday* the 21ſt of *February*.

On

(*e*) *John Williams*, Biſhop of *Lincoln*, and Dean of *Weſtminſter*.

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An. 21 James I. 1623. On that Day the Commons presented to the King Sir *Thomas Crew*, Knight, Serjeant at Law, for their Speaker; whose Excuse, for Insufficiency, &c. being not only allowed of, he was confirmed accordingly. Then the Speaker addressed himself to the Throne, *in hæc Verba*:

Sir Thomas Crew chosen Speaker.

His Speech to the Throne.

Most Gracious Sovereign,

'SINCE I cannot bring an Olive-Branch in my Mouth, as a Sign of my Peace; and that God, (in whose Hands are the Hearts of Kings) without whose Providence a Sparrow doth not fall to the Ground, whom no Man can resist, hath inclined your Majesty to cast your Eye of Grace on me, and to confirm me in this Place: I am taught in the best School, that *Obedience is better than Sacrifice*; and will only say with a learned Father, *Da, Domine, quod jubes, & jube quod vis*: Otherwise I have great Cause to be afraid of such a Charge, to be executed before so great a Majesty, and in so great an Assembly; but that I hope your Majesty will extend your Scepter of Grace, as *Ahasuerus* did, to sustain me in my Fainting.

'Your Majesty is *Princeps Hæreditarius*, descended from both the Roses, and hath united both the Kingdoms. At your first Entrance you wrought a Wonder in the Tumult of our Cares, and Cloud of our Fears, happening upon the Death of the late Queen, by the bright Beams of your Sunshine; which a Poet elegantly expressed, *Mira cano, Sol occubuit, Nox nulla secuta est.*

'There was a *David* in *Hebron*, and no *Ishbosheth* to disturb your peaceable Entrance; but the Acclamations of all your Subjects and Commons, concurring to express their great Contentment. This was no sudden Flash of Joy, but a constant Blessing, by the Continuance of the Gospel and true Religion, maugre the Malice and hellish Invention of those, who would have blown up all at once; but God laughed them to Scorn, and they fell into their own Trap. These Things I leave to your Majesty's Royal Remembrance, as

'Duty

'a Duty to be practised, and to be expressed by our Thankfulness to our holy God; for it is a good Thing to be thankful: *Non est dignus Dandi, qui non agit Gratias pro Datis.* An. 21 Jacobi, 1623.

'Since my Designment to this Place, I called to 'Mind these Statutes of late Times, and find two 'of especial Note: The first of 32 *Henry* VIII. 'which was called *Parliamentum doctum*, for the 'many good Laws made for the settling of Pos-'sessions (*f*). The other, 39 *Elizabeth*; which, 'by a Reverend Divine, was called *Parliamentum 'pium*; because the Subjects were enabled to found 'Hospitals without Licence of *Mortmain*, or *Ad 'quod damnum*, and other charitable Laws, which 'I omit, being not perpetual (*g*). And I likewise 'called to Mind many glorious Offers made by your 'Majesty, and other good Provisions at the last two 'Meetings. Now your Majesty hath stretched 'forth your Scepter to call us to you again, and 'hath made Declaration, that all Jealousies and 'Distractions might be removed, and the Memory 'of Parliament-Nullities might be buried. And 'my Desire is, that your Majesty's Influence may 'distil upon us, and you proceed in such a sweet 'Harmony and Conjunction, that *Righteousness and 'Peace may kiss each other*, and that *Mercy and 'Truth may meet*; and the World may say, *Ecce 'quam bonum & quam jucundum Regem & Populum 'convenire in unum.*

'And, for perfecting this Work, the good Bills 'against Monopolies, Informers, and Concealers, 'may now pass, and receive Strength, with Ge-'neral, Liberal, and Royal Pardon, according to 'the Bounty of the late Queen; that so this Par-'liament may be called, *Felix, Doctum, & Pium*; 'which will be good to your Subjects, and no Di-'minution to your Revenue, or Derogation to your 'Prerogative; which, in your Majesty's Hands, is 'a Scepter of Gold; but, in other Hands, is a Rod 'of Iron. I need not speak in the Praise of the 'fundamental Common Laws; *Veritas Temporis 'Filia*,

(*f*) Vol. III. p. 169. (*g*) Vol. IV. p. 429.

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An. 21 James I. 1623. 'Filia,' Time hath sufficiently justified them. Monarchy is the best Government; and of Monarchies, those which are hereditary. The best Supply of your Majesty's Wants is in Parliament, where the Subject is bound by his own Consent; other Courses of Benevolence come heavily. The Subjects enjoy the Gospel freely by your Protection, and your Majesty may be safe in their Loyalty: Other Safeties are but as *Ajax* his Shield, a Weight rather than a Defence. Their Desire is, that the good Laws for Religion may be confirmed; and that the Generation of Locusts, the Jesuits and Seminary Priests, which were wont to creep in Corners, and do now come abroad, may be, by the Execution of these good Laws, as with an East Wind, blown over the Sea. Our late Queen *Elizabeth* lived and died in Peace; the *Pope* cursed her, but God blessed her: And so shall your Majesty, having God to your Friend, find Safety in the Ark of true Religion, and, when you are old and full of Days, land you in Heaven; and then your hopeful Prince, which sprang out of your own Loins, shall sway that Scepter, which you must leave to enjoy a Crown celestial. And God, in his due Time, will restore the distressed Princess, her Husband and Royal Issue, to that Inheritance which is now possessed by the usurping Sword of their Enemies: Whereof we are the more confident, because that Country was heretofore a Sanctuary in our Distress, when Religion was here persecuted. *Cato* was wont to say, *Hoc sentio, & Carthago destruenda est.* But I say, *Hoc sentio, & Palatinatus recuperandus est.*

The Question was put to a *Lacedemonian*, Why their City wanted Walls? who answered, *Concord* was their Walls. Your Majesty, under God, is a sole and entire Monarch, whose Walls are the Ocean without, and fortified within with a Wall of Brass, the Bond of Unity and Religion; and happy is that Place, of which it may be said, as of *Jerusalem*, *It is a City at Unity within*

'*within itself.* Neither is your Government con- An. 21 James I. 1623.
'fined within the Limits of this Kingdom, but
'extends itself to *Ireland*; where your Majesty's
'Care and Pains, in our late Employment, gave
'divers provident Directions for the setting forth
'of Religion, the reforming of Courts of Justice,
'and the inflicting Punishment on the Disturbers
'of the Public Peace. And I was *Oculatis Testis*,
'that you have made these ample Endowments of
'Churches out of your own escheated Revenue,
'as will be to your Honour in all Posterity (*e*).
'But my Desire is, as well in the Beginning, as in
'all other our Proceedings, our Words may be
'*vera, pauca, & ponderosa.*

'Therefore, with your gracious Favour, accord-
'ing to ancient Precedents, we are humble Suitors,
'that you would be pleased to allow our ancient Pri-
'vileges (*f*); and that, for our better Attendance,
'our Persons, Goods, and necessary Attendance,
'may be free from Arrests; and that we may have
'Liberty of free Speech, not doubting but we shall
'confine ourselves within the Limits of Duty.
'And because this great Business may give us Oc-
'casion often to resort to your Majesty, that, upon
'our public Suit, you will be pleased to give us
'your own fit Time of Access; and that all our
'Actions may have a benign Interpretation, and a
'good Acceptation and Opinion.

'Lastly, That I may not only be a Speaker,
'but an humble Suitor, protesting by the great
'God, by whom Kings do reign, That whatso-
'ever

(*e*) Sir *Thomas Crew* was one of the Members who distinguished themselves against the *Spanish Match*, and in favour of the Commons *Protestation*, in the last Parliament; and was thereupon sent into *Ireland* upon a Commission. See Vol. V. p. 525.

(*f*) In the Debate relating to the Privileges of the House of Commons, in the last Parliament, this Gentleman made use of these remarkable Expressions: "Our Privileges are our Inheritance, not "Matter of Grace nor Toleration.——This is of that Importance "to us, that if we should yield our Liberties to be but of Grace, "these Walls, that have known the holding them thus many "Years, would blush.——In a dutiful Manner, therefore, to "claim our Right, &c."

Commons Journals, Vol. I. p. 665.

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An. 21 Jacobi. 1623.

over I have said, hath proceeded from a loyal Heart; I therefore desire that I may be covered with the Vail of your gracious Construction, or acquitted by your gracious Pardon.'

The Speaker having finished his Harangue, the Lord Keeper first conferred with the King, and then answered as follows (g):

The Lord Keeper's Answer.

Mr. Speaker,

'HIS Majesty hath heard your Speech with no more Patience than Approbation; and as you have not cast it out into any general Parts, no more will I: It is Pity to pull down a Frame which cannot be set up in so excellent a Form again. A Mathematician writes, That nothing can be so round, but that Points and Stops may be found therein; so I may observe, in your round and voluble Speech, these distinct Parts and Articles.

'You spoke something of yourself, something of the King, and something of the Acts of Parliament, which are of two Natures, some striving for Life, others dropping into their Graves: Something of Common Law in general: Something for the ordinary Supply of Princes: Somewhat of Benevolence: Somewhat of the Increase of true Religion: Somewhat of regaining that which is lost to our Enemies: Somewhat of preserving our own: And somewhat of the Reformation of *Ireland*. These were your Materials; the Formals were three. 1. Privileges from Arrests. 2. Freedom of Speech in your House. And, 3. A good Interpretation of all when you have left the House.

'I shall, from his Majesty, give Answer to them all, and shall proceed Step by Step.

'*First*, For yourself, *Mr. Speaker*: His Majesty hath not only stretched out his Scepter with Assurance, but lifted up his Voice, *quæ est Petitio tua, & dabitur tibi*; he hath granted all your Petitions,

(g) From the Journals of the Lords.

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'titions, and doth assure you by me, of his espe- An. 21 James I. 1623.
'cial Favour.

'*Secondly*, For the King; we cannot deny God's 'blessing of us, and our blessing of God for his 'Royal Descent; his peaceable Access to the 'Crown; his miraculous Preservation in this Place; 'and our comfortable Hope of the future. All these 'ibunt in Sæcula Sæculorum.

'*Thirdly*, For those Laws, for settling of Pos- 'session, that were enacted 32 *Henry* VIII. which 'you call *Parliamentum doctum*; and those Laws 'of Charity, made in the 39th of the late Queen, 'which you call *Parliamentum pium*; and those 'Statutes of Grace, which were provided in the 'last Convention, (which his Majesty would have 'made *Parliamentum gratiosum*) and the Pardon, 'which may make this *Parliamentum munificum*, 'his Majesty will take such fit and convenient 'Courses, as may preserve Life in the one, and 'give Life to the other; so that you do, *cito obstri-* 'care, play the good Midwife in their Birth.

'*Fourthly*, For the Abortives of the late Assem- 'bly, which you call Parliament-Nullities; *quem* 'Animus meminisse horret: A strange Chimera, 'such as I never read of, but in the Articles of 'the new Creed, *credo Ecclesiam* Romanam *Catho-* 'licam. Parliaments naturally beget * * * * * (*b*). 'God, and the King are averse to Nullities. The 'first Parliament was the three Persons consulting 'together *Faciamus Hominem*. God is a Maker 'and not a Destroyer. Every Consultation is for 'some Good. Others may commend former 'Laws: You have kept the best Law till now. 'In my Opinion, *Lex Oblivionis* is the best: Let 'the Memory of those Abortions be buried in the 'River *Lethe*, never to rise again.

'I will put you in Mind of a Story, which *Tully* 'relates out of *Thucydides*. The *Thebans* having 'overcome the *Lacedemonians*, in Memory thereof 'erected a brazen Trophy. A Complaint was 'made

(*b*) *Deest in Orig.* Probably the Word, *Laws*.

An. 21 James I. 1623. 'made before the Common Council of the *Amphictyones*, That, by that Trophy, the Memory of 'their Discord was made eternal. Their Judg-'ment was, that it should be demolished, because 'it was not fitting that any Record should be of 'Discord between *Greek* and *Greek*. I leave the 'Application.

'*Fifthly*, For the Common-Law, in general, 'it is of a convenient Disposition, and fit for the 'Climate; so far approved by his Majesty, that 'he would never allow any Project which was not 'justifiable by Common Law.

'*Sixthly*, For the ordinary Supply of the Prince 'by Parliament, Subsidies are most comfortable to 'the King, and favourable to the Subjects; because 'they issue from the Heart, and are brought in by 'the Hands of the People. Benevolence is but an 'Anchor, and a Help at a dead Lift; because Par-'liaments are a great Body and of a slow Motion. 'The King was averse to that Way, and had ne-'ver assented thereunto; but compelled by an in-'tolerable Provocation without, and Invitation at 'Home; and it was bestowed on that inimitable 'Paragon, once of Majesty, but now of Pa-'tience (*i*); that no Man, without Malevolence, 'can find Fault with that Benevolence.

'*Seventhly*, In the next Place his Majesty re-'turned Thanks to you for your Care of Religion. 'Your House was anciently a Chapel; and it still 'may be said, *Non Domus est, sed Templum*; so 'many Men as ye are, so many Churchmen. His 'Majesty gives full Assurance, that he esteems no 'Estate nor Dignity like to that inestimable Jewel 'of Religion; and if any Scandal hath been, it 'hath been taken, not given Cause for: And he 'wisheth with *Alphonsus*, the great King of *Arra-'gon*, That all his Subjects were Kings, that then 'they might understand and be satisfied. He never 'spared the Execution of any Law, but for a greater 'Law, *Salus Reipublicæ*; all the rest are *Fines sub 'Fine*. Our Observation of any Law is not for

'the

(*i*) The *Prince Palatine*, sometime King of *Bohemia*.

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the written Law, but for the Common-Wealth. All the Laws are yet in Force; no Connivance but for the Propagation of true Religion. *What knoweſt thou, O Man! whether the believing Huſband may ſave the unbelieving Wife?* You have heard his Majeſty's Simile touching a ſkilful Horſeman; which, in *Zachariah*, is God's Simile. Kings are like Riders, the Common-Wealth is the Horſe, and the Law is the Bridle; which muſt be held always with a ſure Hand, not always with a hard Hand: But, *Aliquando remittit ferire Eques, non amittit Habenas.* Yet, if *Hagar* grow inſolent, *Caſt out the Bond-Woman and her Son*; his Majeſty's Reſolution is, *That the Son of the Bond-Woman ſhall never inherit with the Son of the Free.* His Royal Majeſty hath given leave to us, that are his Chaplains, to put him in Mind of this, God is ever careful of Kings, and Kings cannot be too careful of him. An. 21 James I. 1623.

'His Majeſty giveth you Thanks for your juſt Feeling and Relenting at the Uſurpation of that ſweet Princeſs from her Jointure, and expelling her *Olive Branches* from their Inheritance. A good Cauſe makes good Soldiers. *Attollit Vires Militis Cauſa.* It is impoſſible, by amicable Means, to recover the *Palatinate*; therefore you do well to ſort *Cato's Carthago evertenda*, with *Palatinatus deglutinanda*; it ought to be unglued again, and pulled out of the Clutches of thoſe Enemies, who, by Force and cunning Treaties, uſurp the ſame. The King knows, and we know, and would have all the World know, the Care he hath taken in this Buſineſs; *Patrias deprehendere Curas.*

'In the next Place, you obſerve very well the wooden Walls of this Kingdom, the Navy being his Majeſty's ſpecial Care; and as the Carver, who beautified *Diana's* Temple, tho' it was at the Coſts of other Men, yet was allowed, in divers Places, to ſtamp his own Name; ſo it cannot be denied but that Noble Lord, who has now ſpent ſeven Years Study, and is become a

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An. 21 James I. 1623.

'Master in that Art, may grave his Name upon 'his Work, yet a fitting Distance from his Mas-'ter's.

'*Lastly*, For the Reformation of *Ireland*. As '*Pliny* said of *Trajan*, That his Care extended not 'to *Italy* alone; he hath not only shewed his 'Beams upon this, but upon other Countries. His 'Majesty shines upon them by his good Laws; 'and tho' that Kingdom adds little to his Crown, 'it adds much to his Glory.

'And now, *Mr. Speaker*, what Liberties, Pri-'vileges, and Access were ever yielded to any of 'your Predecessors, his Majesty now granteth fully 'and freely, without the least Jealousy or Dimi-'nution. I will only add, out of *Valerius Maxi-'mus*, *Quid* Cato *sine Libertate? Quid Libertas 'sine* Catone? What is Wisdom without Liberty 'to shew it? And what is Liberty without Wis-'dom to use it.'

After this last Harangue was ended, which must be allowed very extraordinary for an *Extempore* one, the House was adjourned to *Monday* the 23d of *February*.

The Lords desire a Conference concerning the Spanish Match and the Palatinate.

On which Day, after the House was called, and several Proxies admitted, the Lords took into Consideration the great Business for which his Majesty had summoned this Parliament, and which he had imparted to them in that House. Their Lordships agreed to desire a Conference with the Commons, for the expediting thereof, by the following Message:

Whereas his Majesty, in his Speech, had said, 'That he designed the Prince and the Duke of *Buck-'ingham* to signify to both Houses the Particulars of the last great Negotiation, and his Secretaries to shew the Letters and Papers concerning the same:' Their Lordships being desirous to expedite this great Busi-ness, and hold fair Correspondency with them, do pray, if their Occasions so permit, a Conference to be had between both Houses, in the *Painted Chamber*, To-morrow, at Two in the Afternoon.

'And

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And if, upon Doubt of any of the Particulars then related, any of them move any Queſtions, they ſhall be fully and clearly ſatisfied therein.' An. 21 James I. 1623.

This Meſſage being ſent, the Houſe highly approved of the Prince's own Offer to aſſiſt the Duke in his Relation to both Houſes; and alſo that the Secretaries ſhould attend with their Papers, and produce them as the Narration ſhall require. *Anſwer to the Meſſage.* 'That the Commons returned to their Lordſhips hearty Thanks for the good Correſpondency they deſire to hold with them: They do moſt willingly embrace the Meeting, as is deſired, and will attend their Lordſhips at the Time and Place appointed.' Which the Commons agree to.

The Lords then proceeded to appoint a Committee to take into Conſideration the Cuſtoms and Orders of that Houſe, with the Privileges of the Peers of this Kingdom, or Lords of Parliament.

Feb. 24. On a Motion of the Prince, another Meſſage was ſent to the Commons, importing, That the *Painted Chamber* being appointed for the intended Conference that Afternoon, their Lordſhips now deſire that the ſaid Meeting might be in the Hall, at *Whitehall*; that Room being better accommodated for Eaſe and Hearing. Alſo to acquaint them with his Highneſs's Reſolution to aſſiſt the Duke in his Narration. The Commons readily aſſented to the firſt, and declared themſelves much ſatisfied with the Prince's Deſign.

Feb. 25. The now Duke of *Buckingham*, ſeven Earls, one Viſcount, and three Barons, were introduced into the Houſe of Lords, to their ſeveral Places, with the uſual Ceremonies. On the Prince's Motion, the Report which was to be made this Day, by the Lord Keeper, of the Duke's Narration of Yeſterday, was deferred to the 27th.

At which Time the Lord Keeper removed from the Wool-Sack to his Place on the Earls Bench, in order to make his Report; the ſaid Narration having been made to a Committee, and not to the Houſe. This Report, being very long, is much abridged in *Ruſhworth*; but, ſince the *Lords Journal*

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An. 21 James I. 1623.

nal hath given the Whole, together with Copies of the Letters which paſſed in this Negotiation, we ſhall alſo give it at length; in order that no Part of an Enterprize and Treaty may be hid, which muſt then have amazed all *Europe*, and does ſtill demand the Attention of every intelligent Reader of *Engliſh* Hiſtory.

The Lord Keeper told the Lords, That

The Lord Keeper's Report of the Duke of Buckingham's Negotiations in Spain.

THE Duke of *Buckingham* began with a threefold *Preface:*

'The *firſt* concerning himſelf.

'The *ſecond* concerning the Prince's Highneſs.

'And the *third* concerning the Subject whereof he was to treat.'

'As touching the *firſt*, he craved Pardon of both Houſes, if, in the Diſcharge of this great Burden, which his Majeſty had impoſed on him, he did not proceed in that Order and Method, (which left in the Memory a ſure Dint and Impreſſion) which the Buſineſs required; and deſired them to conſider how unuſual it was for him to ſpeak in ſo great and judicious an Auditory.'

'As touching the *ſecond*, he did acknowledge, that, among many great ones, this was none of the leaſt Favours his Majeſty had laid upon him, to put him at this Time under the Wings and Protection of the Prince his Highneſs; without whoſe Help and Aſſiſtance, he was as unable to govern himſelf in the Parts of the Relation, as formerly in the Paſſages of the Negotiation.'

'For the *third*, he noted his Misfortune to fall upon a Subject of ſuch a Nature as ſhall afford little Honour to the Relator, of what Affection or Diſpoſition ſoever he be; for if he be well affected thereunto, and ſhall ſpeak the Truth, he muſt either bluſh or wrong his Modeſty; if otherwiſe, (as all true-hearted *Engliſhmen* muſt be affected otherwiſe) he is ſure, by laying out all Things in their true Colours,

(*i*) A full Account of theſe Proceedings is printed in *Rymer's Public Acts*, from the *Rolls of Parliament*; but this is chiefly copied from the *Lords Journals*. *Fœd. Ang.* Tom. XVII. p. 552, &c.

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Colours, to be taxed of Malice and Envy. However, the Buſineſs being of the greateſt Importance that *Chriſtendom* has afforded theſe many Years; and that Advice which the Parliament was to give his Majeſty, being to be founded in part upon this Relation, he would not be afraid to open ſo much as might perfectly inform both Houſes in the preſent Buſineſs; but would ſpare, for all that, (as far as the Nature of the Relation would give him leave) to daſh upon the Miniſters employed from the one or the other King.' An. 21 James I. 1623.

And this was the Effect of his Grace's *Preface*.

'In the NARRATION itſelf his Grace uſed indeed a cloſe, but yet an exact and perfect Method: A Man might obſerve therein ſix diſtinct and ſeveral Parts.

The firſt *was the* Motives of the Prince's Journey *to* Spain.

The ſecond *was the* Treaty of Marriage *ſet a Foot in* Spain, *ſeverally, and by itſelf.*

The third *was the* Treaty of the Marriage, *and* Reſtitution, *united together by a reciprocal Subordination.*

The fourth *was the* Prince's Return *from* Spain.

The fifth *was* his Majeſty's ſubſequent Proceedings *in both the Treaties ſince the Return.*

And the laſt *was the* ſtating the Queſtion, ſuper totam Materiam.---*And therein both the Houſes were to offer to his Majeſty their humble Advice and Counſel.*

Of theſe Parts his Grace ſpoke very diſtinctly and orderly.

I. *The* MOTIVES *of the Prince's Journey to* Spain.

His Grace acquainted us with this Method, which was to open Things.

'Firſt, in the general, and to leave Particulars to ſhew themſelves, he took it for granted that he need not begin any higher than the Negotiation of Mr.

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Ann. 21 James I. 1623. Chancellor of the Exchequer with the *Arch-Duchess*; which miniſtred unto his Majeſty the firſt Occaſion of Jealouſy, and made a Kind of Diſcovery of their indirect Dealing with this Eſtate: And then my Lord told us we ſhould ſee a Diſpatch, written from *Hampton-Court* upon Mr. Chancellor's Return; and after be acquainted with Mr. *Porter's* Relation; which was, in very Truth, the *Motive* of the Prince's Journey.'

Here was read the KING's Letter of the 3d of *October*, 1622, to the Earl of *Briſtol*, viz.

Right Truſty and right Well-beloved Couſing and Counſellor, we greet you well.

THERE is none knows better than yourſelf, how we have laboured ever ſithence the Beginning of theſe unfortunate Troubles of the Empire, notwithſtanding all Oppoſition to the contrary, to merit well of our good Brother, the King of Spain, *and the whole Houſe of* Auſtria; *by a long and lingering Patience, grounded ſtill upon his Friendſhip and Promiſes, That Care ſhould be had of our Honour, and of our Childrens Patrimony and Inheritance. We have acquainted you alſo, from Time to Time, ſince the Beginning of the Treaty of* Bruſſels, *how croſſy Things have there proceeded, notwithſtanding the fair Profeſſions made unto us, both by the King of* Spain, *the Infanta, and all his Miniſters; and the Letters written by him to the Emperor, and then effectually, at leaſt as they endeavoured to make us believe: But what Fruits have we of all this, other than Diſhonour and Scorn? Whilſt we are treating, the Town and Caſtle of* Heidelberg *taken by Force, our Garriſon put to the Sword,* Mainheim *beſieged, and all the Hoſtility uſed that is within the Power of an Enemy; as you will ſee by the Relation which we have commanded our Secretary to ſend you. Our Pleaſure therefore is, That you ſhall immediately, as ſoon as you can get Audience, let that King underſtand how ſenſible we are of theſe Proceedings of the Emperor towards us; and, withall, are not a little troubled to ſee, That the Infanta having*

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having an absolute Commission to conclude a Suspension and Cessation of Arms, should now, at the last, when all Objections are answered, and the former solely pretended Obstacles removed, not only delay the Conclusion of the Treaty, but refuse to lay her Command upon the Emperor's Generals for abstaining from the Siege of our Garrisons during the Treaty, upon Pretext of Want of Authority: So as, for avoiding of further Dishonour, we have been forced to recall both our Ambassadors, as well as the Chanceller of our Exchequer, (who is already returned to our Presence) as also the Lord Chichester, *whom we intended to have sent unto the Emperor to the Diet at* Ratisbon. *Seeing therefore that, merely out of our extraordinary Respect to the King of* Spain, *and the firm Confidence we ever put in the Hopes and Premises which he did give us; desiring nothing more than, for his Cause principally, to avoid all Occasions that might put us into ill Understanding with any of the House of* Austria, *we have hitherto proceeded with a stedfast Patience; trusting in the Treaties, and neglecting all other Means which might probably have secured the Remainder of our Childrens Inheritance, (these Garrisons which we maintained in the* Palatinate, *being rather for Honour's Sake to keep a Footing untill the General Accommodation, than that we did rely so much on their Strength as upon his Friendship) and, by this Confidence and Security of ours, are thus exposed to Dishonour and Reproach: You shall tell that King, that seeing all those Endeavours and good Offices, which he hath used towards the Emperor in this Business, on the Behalf of our Son-in-Law, (upon Confidence whereof that our Security depended) which he continually, by his Letters and Ministers, hath here laboured to beget and confirm us in, have not served to any other Use, than to a plain Abuse, both of his Trust and ours; whereby we are both of us highly injured in our Honour, though in a different Degree: We hope and desire, that out of a true Sense of this Wrong offered to us, he will, as our dear loving Brother, faithfully promise and undertake, upon his Honour confirming the same, and also under his Hand and*

An. 21 James I. 1623.

An. 21 James I. 1623. *Seal, either that the Caſtle and Town of* Heidelberg *ſhall, within three-ſcore and ten Days after this your Audience and Demand made, be rendered into our Hands, with all Things therein belonging to our Son-in-Law or our Daughter, as near as may be in the State they were in when taken; and the like for* Mainheim *and* Frankendall, *if both or either of them ſhall be taken by the Enemy whilſt thoſe Things are in treating; as alſo that there ſhall be, within the ſaid Term of three-ſcore and ten Days, a Ceſſation and Suſpenſion of Arms in the* Palatinate *for the future, upon the ſeveral Articles and Conditions laſt propounded by our Ambaſſador, Sir* Richard Weſton; *and that the General Treaty ſhall be ſet on Foot again, on ſuch honourable Terms and Conditions as we propounded to the Emperor, in a Letter written to him in* November *laſt, and with which the King of* Spain *then (as we underſtood) ſeemed ſatisfied; or elſe, in caſe theſe Particulars be not yielded unto, and performed by the Emperor as is here propounded, but be refuſed or delayed beyond the Time before mentioned, that then the King of* Spain *do join his Forces with ours, for the Recovery of our Childrens Honours and Patrimony, which, upon this Truſt, hath been thus loſt; or if ſo be his Forces be at this preſent otherwiſe employed, as they cannot give us that Aſſiſtance which we here deſire, and, as we think, have deſerved, yet that at leaſt he will permit us a free and friendly Paſſage through his Territories and Dominions for ſuch Forces as we ſhall ſend and employ in* Germany *for this Service: Of all which diſjunctively, if you receive not from the King of* Spain, *within ten Days at fartheſt after your Audience and Propoſition made, a direct Aſſurance under his Hand and Seal, without Delay or putting us off to further Treaties and Conferences; that is to ſay, of ſuch Reſtitution, Ceſſation of Arms, and proceeding to general Treaties, as is before mentioned, or elſe of Aſſiſtance and joining his Forces with ours againſt the Emperor; or, at leaſt, Permiſſion of Paſſages for our Forces through his the ſaid King's Dominions, that then you take your Leave and return to our Preſence without farther Stay:*

Other-

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Otherwiſe to proceed in the Negotiation of the Marriage of our Son, according to the Inſtructions we have given you. Given, &c. An. 21 James I. 1623.

Hampton-Court, Oct. 3, 1622.

'Then his Grace deſiring us to take for Truth whatſoever he ſhould ſay, granted and atteſted by the Prince's Preſence, he ſhewed that this Letter was not put home to the utmoſt by the Earl of *Briſtol*; whom, notwithſtanding, his Grace excuſed for the Point of his Return, becauſe he had, in another Letter, ſome private Directions to ſtay untill his Majeſty was advertiſed from that Place; howſoever he gave out his coming away.'

'Mr. *Porter* carried this Letter, with a peremptory Direction to return homeward after the ten Days Stay; the which Time being now expired, and no Diſpatch prepared, Mr. *Porter* ſtept to the Conde *d'Olivares*, whoſe Servant and Creature he had formerly been, and deſired him to ſpeed his Diſpatch, that he might have ſome good Anſwer to carry home with him. The Conde aſked him what he would have? to which he anſwered, No more than had been promiſed by the King of *Spain*; which was, that if a Reſtitution was not made of the *Palatinate*, by way of Mediation, that then he would join in Arms with the King of *Great Britain* to recover the ſame, and give Paſſage for the King's Forces to come at it. The Conde anſwered, That this Demand was very exorbitant: What! His Maſter to aſſiſt with Arms againſt his Uncle, againſt the Catholic League, againſt the Head of his Houſe? He would never do it.'

'Mr. *Porter* forthwith rejoined, and aſked him, What Hope he could give him about the Match? To which the Conde anſwered, That for the Match he knew nothing of it, nor would he underſtand what it meant.---And here give me Leave to weave in two of theſe Supplements, which the Lord Keeper imparted from their Lordſhips to the Houſe of Commons, out of the two ſeveral Letters of the Earl of *Briſtol's*, that the Match was originally pro-

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An. 21 James I. 1623. proposed by *Spain*, and not by us; namely, by the Duke of *Lerma*; and that the King of *Spain* had directly promised Assistance by Arms, in case Mediation could not prevail for the Restitution of the *Palatinate*.'

'Mr. *Porter* acquainted my Lord of *Bristol* with these Answers, observed his Lordship at the first to be much moved, and to say in Anger, That he would call *Olivares* to account if he held this Language with him; and would make him understand that an Earl of *England* was as good a Man as a Conde of *Spain*: But sending for Mr. *Porter* next Morning, this Choler was abated; and he himself confessed that he had changed his Resolution, and concluded to carry the Business more calmly; for that having soon after spoken with the Conde for being so reserved, his Answer was, That he did not think it proper to impart these Mysteries with that Freedom to him, who was not qualified as a public Minister. Mr. *Porter*, moved herewith, expostulated with the Conde for denying that to his old Servant, which he had imparted to both the Ambassadors; with that the Conde fell into a Rage, and swore *Voto a Dios que in ententas Embaxadores nil Veras, si ellos assi dichos*; but, saith the Conde, I have Reason to take it ill at your Hands (whom I ever favoured and tendered as my Child) for communicating that to the Earl of *Bristol*, which I had told your as a Secret. Mr. *Porter* answered, That, being a Servant of the King's, he could do no less than acquaint his Ambassador therewithall. But the Truth is, that the Conde was highly displeased with Mr. *Porter*, insomuch, that the Duke of *Buckingham* coming into *Spain*, he spake it openly, that he hated the Ground which Mr. *Porter* trod upon. Mr. *Porter* returning with a Dispatch fraught with Generalities, without any one Particular or Certainty at all, made his Relation to the Prince his Highness; who, thereupon, took his Resolution to go in Person to *Spain*, and gave, himself, these Reasons for that Enterprize. He saw his Father's Negotiation deluded; Matters

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of Religion gained upon and extorted; his Sister's Case more and more desperate; that this was the Way to help Things off or on; that this particular Delay was worse than a plain Denial; and that according to the usual Proverb, *A desperate Disease must have a desperate Remedy.* This Resolution the Duke, by the Prince his Command, made known to the King; who, after he had consulted of it together with them, at the last, commands the Duke to accompany his Highness in this Journey.' An. 21 James I. 1623.

And here ends the *first* Part of the NARRATIVE, the *Motives* of the Prince his Journey.

II. *The* TREATY *of the* MARRIAGE *severed and by itself.*

'When the Prince had arrived at *Madrid*, and immediately discovered himself to the Earl of *Bristol*, the Duke sent the next Day to offer a Visit unto the Conde, who was so complemental as he refused to receive him in his own House, but gave him a Meeting in a Garden. Here the Conde magnified exceedingly the Prince his Journey; amplified the Obligations his Highness had put upon that King and his Kingdoms; said, that now without all peradventure it must be a Match, and we must part and divide the whole World between us. This Complement was very apt (quoth the Duke,) and proper to proceed from them, who had long sithence in their Imagination swallowed up the World as their own; but not to be so easily believed by us, as being no small Offer to part thus suddenly with the one Half at a Blow; however, the Ambassadors took an Occasion hereupon to move his Grace, That now having heard this good Affection of the Conde, he would write to the King to justify them in their former Dispatches in this Kind: Nay, softly, answered the Duke; these are but Generals, when I find the Particulars tuneable hereunto, I shall be ready to relate it to his Majesty.'

'The next Day after when the King and the Prince had met in the *Pardo*, and performed their Inter-

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An. 21 James I. 1623. Interview and mutual Ceremonies, the Conde taking the Duke into his Coach, and Mr. *Porter* for his Interpreter, falling into a Diſcourſe of the Match, he ſaid unto the Duke, Let us diſpatch this Match out of Hand, and ſtrike it up without the *Pope*. The Duke anſwered, He liked the Manner very well, but deſired to underſtand the Means. Why? the Means (quoth the Conde) is very eaſy: It is but the Converſion of the Prince, which we cannot conceive but his Highneſs intends upon his Reſolution of this Journey. His Grace anſwered forthwith, That with Freedom they came thither, and with Freedom they would return again: They were no Jugglers, neither came they to *Spain* to make new Bargains; the Prince was ſettled in his Religion, his Conſcience was troubled with no Scruple in that Kind; if they ſtruck any more on that String, they would marr the Harmony: Then ſaid the Conde, There is no Way, but to ſend to *Rome* to haſten the Diſpenſation: To the which Motion his Grace aſſented, ſaying, The ſooner they did it, the better it was.'

'Whereupon the Conde wrote his Letter to the Cardinal *Ludovico*, the *Pope's* Nephew, which being ſhewed to the Duke, ſeemed to him to be very heavy and ineffectual: His Grace deſiring therefore to quicken it with ſuch a Poſtſcript, That now the Prince being arrived muſt not be ſent back without his Wife; that Delay to a Suitor is a Kind of Refuſal; that clogging Inſtructions would amount to a Denial, and new Conditions to an abſolute Breach; the Conde fell into Choler, and ſaid directly, It could not be done. [*This the Prince affirmed to be acted in his Preſence.*] Of this Carriage of the Conde, Sir *Walter Aſton* made a doubtful, the Earl of *Briſtol* a more benign Conſtruction; but the Duke a downright Concluſion that theſe People never intended either Match or Reſtitution; and ſo wiſhed his Highneſs fairly at Home again, and thus the Meſſenger was diſpatched to *Rome*.'

'By

'By this Time you muſt imagine all the Shews and Ceremonies for the Prince his Entertainment paſt over, and within three or four Days after, his Highneſs is placed to ſee his Miſtreſs in her Paſſage through the Streets, as ſhe made her Viſits from Church; but unſatisfied herewith, and preſſing for Acceſs, he was delayed from Day to Day, although promiſed at firſt to have it within the Compaſs of two Days. In the mean Time, the Duke hearing that it was reſolved in Council, that this Viſit ſhould be put off, until the Return of the Diſpenſation, he aſked plainly of the Conde, If it were ſo? who confeſſed as much in effect, and gave his Grace this Reaſon for it, That much Scandal had already been taken in the Court, that the Prince was permitted to have ſeen the Infanta ſo publickly in the open Streets, and that the Lady ſhould be thus divulged and profaned.' An. 21 James I. 1623.

'The Duke replied, He ſhould have done well to have dealt freely with the Prince, and to have acquainted him with ſo much before: After this, his Highneſs obtained a Viſit, but a very ſtrange one, and ſuch a Viſit as was never heard of before; he was not ſuffered to ſpeak to her, but as if he had been upon a Stage; his Part ready conned, and nothing elſe, in ſo many Words and Syllables as they had dictated the ſame to him. Here the Prince was pleaſed to acquaint us with the Reaſon they alledged for dealing ſo meaſuredly and ſparingly with his Highneſs; they were not Aſtrologers to foreſee the Event of this Marriage; they were uncertain whether it ſhould take Effect or no, and therefore they reſolved to admit him as a Prince only, but not as a Suitor. This Reaſon was juſtly diſliked, and this Courſe much ſuſpected by his Highneſs, as himſelf now alledged, yet the Conde ſalved it up with this Complement, That if the Diſpenſation were once returned, he ſhould lie with her even that very Night; nay, have her he ſhould, upon any Terms, if he could not be qualified to enjoy her as a Wife, yet he ſhould have her as a Miſtreſs.'

'And

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'And now, in part, to entertain the Prince, but principally to prevent more Visits, his Highness is carried to a Country-House, called *Aranviez*. Here he is pressed again to change his Religion, but, being deaf and averse to such a Motion, he is set upon by the Conde, to this Effect, Yet, Sir, be a Friend to *our* Religion: To the which his Highness answered, He was no Enemy to their Religion, nor to them that profess it. Soon after, riding in a Coach, it was urged again by the Conde, That the Infanta was of a tender Conscience, and if she should come into *England*, and find the Prince an Enemy unto her Religion, it would quite dishearten her; his Highness was therefore moved to promise to hear the Lady speak upon that Theme; to this his Highness willingly consented, and told us his Reason, which was very probable, because, his Highness was as like to convert her, as she was to pervert him. Not long after, a Conference with some learned Divines is pressed upon his Highness; which the Prince declined for these Reasons:'

First, 'If his Highness should be reported in this his first Entrance into the Theatre of the World, to be fickle in his Religion, and to carry these Scruples in his Conscience, it would prove much to his Dishonour in all Parts of *Christendom*.'

Secondly, 'Altho' his Highness (as he professed) was not afraid to confer with any Divines; yet, if after Disputation, they should not prevail against a young Man, they would remain much disgusted and ill-affected to the whole Negotiation.'

Lastly, 'If the Infanta did please herself, with any imaginary Hope of converting the Prince, this Hope would vanish away for the Time to come, if this solemn Conference proved ineffectual: Yet the *Spaniards* were never off from this Kind of Importunity, but spent therein all the Interim until the Return of the Dispensation.'

'About this Time, the Conde invited the Prince to treat of the Terms of Friendship; which his Highness put off upon this Reason: Because the

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emergent Propositions concerning the Restitution of the *Palatinate* may prove a Stay and Remora to the hastening of the Dispensation and the speeding of the Match; whereas, were it once fairly concluded, there would be little Doubt, but the Restitution would be effected; and therefore it was, as his Highness told us, that the Treaty of the Restitution was set aside at this Time, though ever held fit, and intended to go hand in hand with the Treaty of Marriage.' An. 21 Jacob. 1623.

'Six Weeks after the Prince his Arrival, arrived the Dispensation; which, contrary to many former Professions, was four or five Days concealed from his Highness: At the last, the Duke having Intelligence thereof did call for it, and so a Committee is appointed to treat thereof, and the Prince attended the Business in Person; but, upon the first Opening of Particulars, the Conde was put to School, and shewed himself to understand never a Word either of the Match or of the Restitution of the *Palatinate*: The Articles being propounded to the Prince his Consideration, his Highness most judiciously refused to treat, unless he might have Assurance they should be all cleared and accommodated upon the Place, without sending to *Rome* to new-mould them; because his Highness understood from *Rome*, by Mr. *Gage* his Letter, that the Dispensation was returned much clogged in Matter and Manner; and, especially, with that annexed new Condition, That the King of *Spain*, before the receiving of the Dispensation, was to take an Oath to see all the Articles, whereupon the Faculty was issued, really performed; or else to make War, in case of any Failure, upon the King of *England*: A very odd Conjunction with Matters of Alliance, as the Prince well observed. His Highness put the Question to the Committee, Whether their King could, and whether he would take this new-found Oath? They answered, That the acting thereof must wholly depend and relate to the Prince his facilitating, here in *England*, some Kind of Connivance in Matters of Religion: Hereupon

An. 21 James I. 1623. upon the Prince ſignified to them his Reſolution, that he neither could nor would alter any Thing in the firſt Articles ſent from *England*, on which the Treaty began.---And here the Duke made a Remonſtrance unto us, That if any Thing concerning Religion might ſeem to be added, (for the Prince ſaid, that nothing was ſo added indeed) wherewith his Majeſty was not formerly acquainted, that it was not the Prince nor his Grace's Fault: Nay, in one of the Articles ſought by the *Pope*, and comprehended in the Prince his private Promiſe, a great Conteſtation aroſe between the Earl of *Briſtol* and the Duke; wherein his Grace ſaid, he ſhewed himſelf reſolute, which the Earl termed *Opinionaſtre*, alledging, That the Point in Queſtion was already agreed upon, at leaſt, in Intention, between the two Kings. This the Duke denied, and was ſithence juſtified in his Denial by the King's Majeſty.'

'And now the Juncto of Divines are met together, to reſolve the Caſe of Conſcience upon that Preparation and Prediſpoſition of Things and Actions, whether their King might ſafely take the Oath? At this his Highneſs enquired, What that meant? But Anſwer was made, That it was only for Form Sake, and ſhould not delay the Buſineſs the Length of one Hour; as the Prince was pleaſed to tell us: But the Truth is, this Committee was the Conde's Wheels, wherewith he ſet the whole Frame of the Buſineſs backward and forward at his own Pleaſure.'

'By this Time, the Prince hath gone thro' all the Articles together with the reſt of the Committee, and leaving three undecided, That of the Church; that of the Nurſe; and that of the Education of the Children; which his Highneſs reſerved until he ſhould ſpeak with the King himſelf; and going with the Conde in his Coach, he acquainted him with his Reſolution for thoſe three Particulars; which, the Conde writing down in a Pair of Table-Books, ſaid, That now the Buſineſs

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was in a better Way than ever: It was a Match, and, without more ado, she was his Wife.' An. 21 James I. 1623.

'But, the very next Morning, came the Marquis of *Montes Claros* and the Conde *de Gondamore*, and spake to the Prince of the same Match, as of a new Thing; and told him plainly, That unless his Highness came to all the Conditions of the Dispensations, as they were sent from *Rome*, clearly and entirely, nothing would be done; for they had no Power to remove or alter so much as a Word of false *Latin*: Whereupon his Highness was justly distasted, and offered to break; for, as himself told us, this was the first Time he saw clearly they wanted to juggle with him; for the which Alteration and Change of Counsels all the Excuse they offered was this, That they were Beasts, and blind, and could not read their own Language.'

'The Prince, thus resolved to take his Leave, the Conde stays him with a double Proposition: Either to send to *Rome* to have the Articles, as they were agreed upon, confirmed by the Conclave; or else to send to *England*, that the King our Master might be drawn unto them, Word for Word, as they came from *Rome*: To the which his Highness returned this Answer, That he accepted of both Offers, as in due Form and Manner; that they should send to *Rome*, and himself would repair into *England*, to dispose his Father to this Effect, and to facilitate the Negotiation. And here the Prince declared his Resolution to procure either a fair Breach or a speedy Dispatch. The Conde, finding this to amount to a Breach, thereupon made a new Proposition, That the Prince would be pleased to stay twenty Days, until our Master's Answer might be had from *England*.'

'Here the Prince told us how the Earl of *Bristol* had said unto him, That this was but a mere Punctilio; and that he received it from very good Hands, that if his Highness made Shew to yield unto this Proposition, he should not be tied thereunto; but (said his Highness) when I had once determined

An. 21 James I. 1623. termined to ſtay, I never heard more of the Punctilio, but was faſt bound to real Performance.'

'After this the Conde and the Earl deſired the Prince to ſpeak no more of his Return in this Sort; for if he did, they would quarrel with it as amounting to a kind of Menace or Threat; whereupon the Duke anſwered, That this they could not do, becauſe the Prince bare himſelf as too well ſatisfied with the Journey, and no way diſtaſted at all with any Occurrences in *Spain*; but troubled only with that clogging of Articles which happened in *Rome*. But the Earl of *Briſtol* replied, That he knew from good Hands, that if his Highneſs ſtayed, they would preſently fall to Buſineſs. The Prince then reſolved to ſtay, upon Condition, that Sir *Francis Cottington* might be diſpatched away within two Days; and a Courier might overtake him with the Articles that ſhould be ſent after, as ſoon as ever they could be made ready, which his Highneſs well hoped might have been the very next Day; his Highneſs took Care hereby, leſt the Health of his Secretary, upon whom the Diſpatch of the Buſineſs wholly depended, might be impaired with any extraordinary Riding: This Condition of his Highneſs, although the Conde (to gain more Time) much oppoſed, and would have Sir *Francis* ſtayed there until the Articles ſhould be perfectly digeſted; yet, by the Prince's fixed and conſtant Reſolution, the Contrary was at the laſt obtained. And now the Articles are laid upon the Anvil again, and the two Days of their Hammering ſpun out to twenty; at the End whereof they brought them in with new Additions and Alterations, hoping that his Highneſs, through Haſte or Unadviſedneſs, would ſhut his Eyes, and ſup them up without more ado. But the Prince read them, found out the Alterations, and upbraided them with the Practice; and when they excuſed themſelves, as ignorant of the Form, the Prince offered to help them with a Precedent, *viz.*'

'That taking the Oath uſed in the Marriage-Treaty between King *Philip* and Queen *Mary*,

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and adding to it each Article agreed upon, they might draw it up accordingly; whereupon they snatched the Paper out of the Prince's Hand, as resolved to pursue this Direction; but, a Sevennight after, brought them back again, as raw and untoward as ever they were, so as the Prince was fain to take them in Hand himself; who, by the Ministry of the Earl of *Bristol*, framed them up in a few Hours, to the full Approbation of all the Committee; but (as the Duke observed) it was not the Dispatch of the Business, but the Approach of the Heats; and, consequently, the Stay of the Prince, which was the principal Object of the *Spanish* Counsellors. An. 21 James. I. 1623.

The Articles being at the last sent into *England*, the Juncto of Divines delivered their Opinions, that the Infanta could not be sent over before the Spring ensuing: But the Prince remembering a former Promise, that the Juncto should not retard his Negotiation for one Hour, resolved once more to break the Treaty upon this Occasion. This put the Conde to his Invention again, and caused him to make to the Duke and Sir *Walter Aston*, another Proposition; That if the Prince would stay till their Ambassadors should certify out of *England*, that the Articles were assented to by our King, and put in Execution; then the Lady should go over with his Highness, this Vote of the Divines notwithstanding. His Grace answered to this Proposition, That it was yet worse in Substance than the other, for the Ambassadors may be sinisterly affected; besides, it was a Business of no small Importance to connive at so many Laws as were pointed at in the Articles; many Occasions of Complaint might intervene hereupon, in the large Circuit of *England*, *Scotland* and *Ireland*; the Ambassadors might take a false Alarm thereby, and return their Certificate accordingly; and so the Prince's Stay should be frustrated and made of no Effect. Then the Conde desired the Duke to go in unto the Commissioners, who were sitting hard by, and to ask them their Opinions, how the Difficulties

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An. 21 James I. 1623. ficulties might be facilitated; the Duke replied, That he knew it was but loſt Labour to go from him, the proper Oracle, to theſe Commiſſioners for the Aſſoyling of that Riddle; yet the Conde preſſed his Grace to do ſo; and the Duke ſtepping forwards, towards the Committee-Chamber, was called back by the Conde, and deſired to put the Queſtion after this Manner: What Requital or Satisfaction ſhall the King of *Spain* return for the Favour the Prince had done him by undertaking this Journey? To which his Grace replied, That now the Queſtion was varied, and the State of it altered; Yet (quoth the Conde) for my Sake, make your firſt Approach upon them with this Queſtion. The Duke to ſatisfy the Conde, went in unto them, who wondered much to ſee him; he told them, he came by the Perſuaſion of the Conde, to propound this Queſtion to them, What Requital or Satisfaction, *&c.*'

'They looked one upon another; and, in the End, one of them gave him Anſwer, That he ſhould return to the Conde, and take from him Satisfaction to his Queſtion.'

'And ſo the Duke went back to the Conde, who preſently required what Anſwer he had received; the Duke told him, Such a one as he expected, and if they had given him any other, they had not ſo well deſerved that great Truſt and Employment in the State, which the King had moſt prudently impoſed upon them. Why, quoth the Conde, What was their Anſwer? Surely, ſaid the Duke, to hold you no longer, it was this, That I ſhould return back again to you to know it. With that, the Conde rapped with his Staff, and, calling in the Chancellors, he ſpake unto them in ſuch a perplexed Stile, as though he would have them underſtand his Meaning (but yet for fear the Duke ſhould do ſo too) by any Thing rather than by his Words. At the laſt, the Biſhop of *Segovia* anſwered his Grace to this Effect, He had heard ſomewhat of the Eſtate of our Kingdom, and had received it from good Hands, That our King could not make a Toleration

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tion without a Rebellion; and he eaſily believed it, An. 21 James I. 1623.
becauſe the King of *Spain* is not able in his Dominions to effect the like Enterprize, without incurring the like Danger; and therefore concluded it was unſafe to ſend the Lady thither at this Time; becauſe we having granted as much, in effect, as a Toleration, it was very probable ſhe ſhould be welcomed with a Riſing and Rebellion. To the which the Duke replied, That if the Favours, which the King his Maſter had extended to his Catholics, at the Mediation of that King and the Advice of that very Committee, be of ſo dangerous a Conſequence, it ſeemed their Lordſhips, who gave their Advice for the Articles, then knew they portended Rebellion. But you muſt know (quoth the Duke) that if his Highneſs had been of my Lord Biſhop's Opinion, that thoſe Connivances had amounted to a Toleration, he had never accepted of theſe Articles to have gained any Alliance in the whole World: This was but a temporary Suſpenſion of penal Laws, but no Toleration; which was never offered to be thruſt upon the State of *England*, but by Conſent of Parliament. Then they all looked wiſhfully at *Gundamore*, as the Surveyor General of *England*, and Author of that Intelligence; ſo that, being eyed by them all, and in a Manner pointed out, he ſaid, I muſt confeſs, the King of *England* is a very learned King, hath governed long, and is very rich in the Hearts of his Subjects; yet do I not hold it fitting to ſend the Infanta thither before the Articles be perfectly put in Execution; nay, Sir, you know very well that I have formerly dealt very plainly and freely herein with the King of *Great Britain*. To this the Duke replied, That now he had provoked him very far, for he had been acquainted with the Treaty from the Beginning, and never yet heard a Word fall to that Purpoſe; nay, on the contrary Side, the Conde de *Gundamore* offered to our King the Daughter of *Spain*, and begged this Alliance merely for the Alliance Sake, without any Prejudice to the preſent Government, or the Religion eſtabliſhed.

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An. 21 James I. 1623. And that when we objected the Diſadvantage of treating with the Catholic King, becauſe of that back Door, to ſlip in and out at, at his Pleaſure, (to wit) the *Pope's* Conſiſtory; *Gundamore* replied, The *Pope* durſt not but diſpenſe with this Match, if *Spain* ſo required; and, for Proof alledged divers Inſtances of Buſineſs reſolved in *Spain*, though diſliked by the *Pope*; to which notwithſtanding his Holineſs gave his Conſent for mere Fear leſt his Aſſent ſhould not be expected or required. The Conde de *Gundamore* took this very offenſively at the Duke's Hands, to be told of thoſe Stories in *Spain*, which he had provided for the Meridian of *England*; and did his Grace no good Offices from that Time forward, which the Duke little regarded; yet one of his Requitals is very memorable, that at the very ſame Inſtant, he infuſed into the Prince's Highneſs that the Duke was in Heart (as he ſaid all his Kindred were) a Roman Catholic; and, to a Jeſuit of great Account and Zeal in thoſe Parts, that he was a moſt obſtinate, perverſe, and refractory Puritan, which bred his Grace much Hatred among the Zealots in thoſe Parts.'

'About this Time it was reported, that his Highneſs made ſome Proviſion to ſteal out of the Country ſecretly; and it is very true that Ways were laid to intercept him, and in ſuch a Caſe to detain him openly and avowedly as a Priſoner. Hereupon, my Lord Duke was ſent unto them with this brave Remonſtrance, That although they had ſtolen thither out of Love, they would never ſteal from thence out of Fear; and, however, others were guilty of thinking, they two ſhould never be guilty of taking ſo poor and unworthy a Courſe.'

'And the Prince making about that Time a Diſpatch unto his Father, ſent unto him this Meſſage, by Mr. *Graymes*, That if his Majeſty ſhould receive any Advertiſement that he was detained by that State as a Priſoner, he would be pleaſed, for his Sake, never to think upon him any longer as a Son; but to reflect, with all his Royal Thoughts, upon the Good of his Siſter, and the Safety of his Kingdom

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Kingdom; nevertheleſs, the Prince commanded *Graymes* not to deliver this Meſſage, unleſs he heard that his Highneſs was there detained.' An. 21 James I. 1623.

'And thus far extended the *ſecond* Part of the NARRATIVE, The *Treaty* of the *Match*, as it ſtood ſevered and divided.'

III. *The* TREATY *of the* MATCH *and* RESTITUTION *reciprocally ſubordinated.*

'When the Prince had refuſed the former Propoſition of the Conde, to expect the Certificate from the *Spaniſh* Ambaſſadors, and was reſolved to ſtay no longer; the Conde betakes himſelf to his laſt Anchor, and offered to his Highneſs, in caſe he would accept of the Time of the Infanta's going at the Spring, in a blank Paper to ſet down his own Conditions for the Reſtitution of the *Palatinate*. To this his Highneſs began to liſten, as well remembering his Father's Commandment laid upon him at his Departure, that, together with his Alliance, he ſhould endeavour to the utmoſt of his Power, the Peace of *Chriſtendom*; he therefore ſent the Duke and Sir *Walter Aſton* to the Conde, to know whether he meant ſeriouſly and really in this Offer.'

'The Conde avowed that he did; and that this was the only Way now left to gain the *Palatinate* by Way of Treaty, otherwiſe the King our Maſter muſt re-conquer it with Arms if he will have it. This being juſtified to the Prince, by the Duke and the Interpreter, (whom, in every Employment, the Duke brought ſtill to the Prince for the Witneſs of his Negotiation) his Highneſs, to prevent the further Shedding of Chriſtian Blood, yielded to the Propoſition for his Stay.'

'Here it is fit to obſerve this Paſſage, which is the Thing upon which all his Highneſs's ſubſequent Actions are turned and moved: He had never ſtaid a Sevennight longer in *Spain*, he had never left any Proxy with the Earl of *Briſtol*, he had never taken any Oath at the *Eſcurial*, or ſo much as ever written

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An. 21 James I. 1623. a Letter of Compliment to the Lady; but that he had ſtill before his Eyes as his Land-Mark, the Promiſe made by the Conde for the Reſtitution of the *Palatinate*. This one Obſervation will ſerve as a Torch, to caſt not only a Light, but a Luſtre, upon all his ſubſequent Actions.'

'At this Stay of the Prince's, there appeared generally in the Court, great Alacrity, ſuch Careſſes and Expreſſions of Joy, as the Duke profeſſed he never ſaw the like.'

'His Grace laying hold upon this good Humour, thought it beſt ſtriking when the Iron was hot; and begun to caſt about how to ſhorten theſe Months, and to haſten the Delivery of the Lady. He preſented unto the Conde, how his Maſter was now in Years, the Prince was his only Son, and he longed to ſee Iſſue by him. That his Highneſs would ſuffer much in his Honour and Reputation, to return Home without his Wife; that the Infanta coming in his Company would open to her a wide Paſſage into the Hearts and Affections of all the People; that this would kill, in the very Root, the Practices of other Princes to divert this Alliance; and laſtly, this would put an eternal Obligation upon the Duke himſelf, and a glorious Luſtre and Repute upon his preſent Journey and Employment.'

'The Conde ſaid hereupon, That he was bewitched with theſe Reaſons, and aſſured the Duke his Motions ſhould take Effect, only the Prince muſt not be acquainted therewith; but himſelf would ſuddenly prepare for the Voyage, and would needs have the Prince name a Day for his Departure, which accordingly was deſigned and appointed.'

'This News either came indeed, or was pretended to have come, to the Infanta. She is ſuppoſed to take it exceedingly ill; and the Condeſſa d'*Olivares*, who hath the Care of her Education, ſent unto the Prince, that it became him not to forſake the Company of ſuch a Lady, for the gaining of a poor Circumſtance of Time, after ſo many and ſo

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so extraordinary Expreſſions of Love and Affection; and upon her Aſſurance that no Advantage ſhould be taken of that Promiſe, prevailed on his Highneſs to return this Compliment, that rather than give her Highneſs any Diſguſt, he would ſtay for her ſeven Years. The Conde (who winked thro' his Fingers at theſe Actions of his Wife) being preſſed to prepare for the Infanta's going (according to that Enchantment the Duke had caſt upon him) burſt out into Oaths; and demanded, If they thought he had nothing elſe to do with his Maſter's Money, but to throw it out of the Windows in this kind: And when the Prince replied again, That if he were ſo careful a Steward for his Maſter, his Highneſs himſelf would defray the Preparations; he refuſed the Offer, and ſaid, his Maſter expected no ſuch Supplies. By this Time Sir *Francis Cottington* arrived with all Things perfected by the King, and Letters of good Satisfaction from the Ambaſſadors, and a Command from our King unto his Highneſs, to make his Return within one Month after the Reception of theſe Letters. When the Prince expected to have found them wrapt in an Extaſy of Joy, they were in much Diſorder at the Hearing of the News; and infinitely troubled that his Majeſty had ſo well and ſo quietly overcome ſo many Particulars. Here the Duke made his Annotation, That he did not poſitively affirm they meant to have bred any Stirs in *England*; but this he well remembered, that when the Prince, to diſpute them out of their unreaſonable Demands in Matters of Religion, objected againſt them, this Danger of Rebellion, they replied again, That if he feared any ſuch Thing, he ſhould be waited upon into *England* with a good and ſtrong Army to decide all Controverſies in Religion: A Courteſy, as the Lord Keeper obſerved in reporting the ſame, better underſtood in *Milan*, *Naples*, and *Germany*, than hitherto (God be thanked) in this Iſland; but the Prince told us his own Anſwer to this Compliment of theirs was, That the Remedy was worſe than the Diſeaſe.'

Ao. 21 James I. 1623.

'Yet

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An. 21 James I. 1623.

'Yet all this while there was no Preparation made by the Conde, not so much as for the Prince's Journey; which his Highness said, was therefore deferred in Hopes to have made him fast and betrothed before his Departure.'

'Upon the Certificate of the Ambassadors brought by Sir *Francis Cottington*, the Duke pressed the Conde with his former Promise to deliver the Lady now, the Condition being performed. The Conde told him, The Time was past; and tho' his Grace offered to tarry the very Brim of Winter for her Company, yet was the Motion slighted, and the Duke desired to trouble himself no more with any Thoughts to that Purpose.'

'About this Time the Conde renewed the Treaty for the Restitution of the *Palatinate*; saying, The Lady should by no Means go into *England* before that Business was accommodated: And after Conference with the *German* Ambassadors, there was projected a Restitution of the Land to the Son, upon Condition of a Marriage with the Emperor's Daughter, which the Prince did not dislike; but there was added withal, another Condition, that his Son should be bred in the Emperor's Court, which his Highness utterly rejected.'

'As concerning the Prince *Palatine* himself, he must, like *Cain*, have a Mark of Infamy upon his Person; and, for his Electorate, it was a Thing *in Nubibus*, which hung in the Air, and altogether beyond their Reach and Power; nor would they by any Means undertake the same.'

'Then the Prince demanding of the Conde, Whether, in case the Emperor proved refractory, the King, his Master, would assist him with Arms, to reduce him to reasonable Terms?'

'The Conde answered negatively; because they had a Maxim of State, That the King of *Spain* must never fight against the Emperor.'

'He had, indeed, (for it was not to be denied) dealt very ill with them in this Particular; but if he should beat and buffet them, they would not promise to employ their Forces against the House of

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of *Auſtria*. Hereupon his Highneſs made his Pro- An. 21 James I. 1623.
teſtation to the Conde, Look to it, Sir, for if you hold yourſelf to that, there is an End of all; for, without this, you may not rely upon either Marriage or Friendſhip; for I muſt, as I am required, return to my Father, and acquaint him with your Reſolution in this Point. Look for neither Marriage nor Friendſhip without Reſtitution of the *Palatinate*.'

'Yet was not the Earl of *Briſtol* ſo abſolutely perſuaded of the Prince's Reſolution; for he offered (as was related in the Houſe of Commons) to lay with him a Ring worth 1000 *l.* that for all his Father's Letters, his Highneſs would keep his *Chriſtmas* at *Madrid*; which Wager the Prince laid with him, and gave away his Ring before his Face.'

'About the Time it was concluded that the Infanta ſhould not come away with the Prince, the Duke took occaſion to open his Mind with ſome Freedom to the Conde *d'Olivares*: He had put him in mind how he had formerly told his Grace, That they in *Spain* could do with the *Pope* what they would; and that his Holineſs never aſſented to the Diſpenſation, until they had ſaid it was full Time, and had given him his proper Cue: And that the Conde was the Cauſe of calling the Juncto of Divines; which the Conde confeſſed, ſaying, That the Devil had put it into his Head ſo to do. Alſo that the Conde had offered to his Grace the preſent conducting of the Lady, ſo as he would but endanger his Soul for the Favour, and turn Roman Catholic. To all this the Conde made Anſwer, That there were but three Ways to wade through this Buſineſs; whereof two were good, the third an ill one: The firſt good one was the Converſion of the Prince, which now he found was abſolutely impoſſible: The ſecond good Way was, that as they were obliged by the Prince's free coming into *Spain*, ſo they, with the like Freedom, to deliver up the Infanta into his Hands, truſting him without further Condition: And the third Way,

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An. 21 James I. 1623. Way, which he said was a very ill one, was to wrap him and swadle him up, as hard as they could, with nice Articles and strict Conditions. Whereupon the Duke replied, they had made *Medea's* Choice; discovered the best, and chosen the worst of all the Ways. The Conde replied again, That if he were a Counsellor at large, he would advise the King to commit the Infanta unto his Highness freely and absolutely, without Conditions: So would he do, if he were King; and, as he was, he would do so, if the King was thirty Years of Age; but, being a Favourite, to answer the Actions of a minor King, (although he cannot deny but it lies in his Power) yet he resolved, the Infanta shall not go along with his Highness, but upon these Conditions.'

'Thus, by this Time, the bravest Prince in *Europe* is grown cheap and vulgar in the Court of *Spain*, so as they scarce bestow a Visit on him; and the Conde came very seldom at him, pretending, for a Reason, that his Highness looked but heavily on him. In fine, the Duke was fain to negotiate the Condessa, to procure her Lord to vouchsafe, now and then, to look upon his Highness.'

'About this Place the Duke declared to us how, in the Flashings and Lightnings in the Conde's Favour toward him, these two Letters came to be produced, which are to be read by and by. The Conde, when in the good Humour, told his Grace, That now certainly it was to be a Match, and that the Devil could not break it. The Duke replied, he thought so too; and that the Match had need be firm, which had been seven Years in soldering.'

'The Conde denied it, and said plainly, it had not been really intended seven Months. The Duke rejoined, That if he were sure of that, he could ingratiate himself very much with his Master, and receive many Thanks for his Journey and Employment; if he could make it appear to the King, that the Marriage was the Produce of this Negotiation only. Then said the Conde, I will fetch that out of my Desk that shall assure you thereof;

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thereof; and ſo produced theſe two Letters: The firſt was written with the King of *Spain's* own Hand; then read over five or ſix Times, and the Subſtance collected in their Memory, by the Prince and Sir *Walter Aſton*, (the Duke having promiſed it ſhould not be copied, and indeed the Time not permitting to do it) and, by and by, after ſet down in Writing; if we remember who were the Notaries, we need not doubt but it is authentically taken. The ſecond Letter is tranſlated by the Prince himſelf.' An. 21 James I. 1623.

The King of SPAIN's LETTER of the 5th of *November*, 1622.

THE King, my Father, declared at his Death, that his Intent never was to marry my Siſter, the Infanta Donna Maria, *with the Prince of* Wales; *which your Uncle Don* Baltazar *underſtood, and ſo treated this Match ever with Intention to delay it; notwithſtanding it is now ſo far advanced, that, conſidering withall the Averſeneſs of the Infanta to it, it is Time to ſeek ſome Means to divert the Treaty, which I would have you find out, and I will make it good whatever it be; but, in all other Things, procure the Satisfaction of the King of* Great Britain, *who hath deſerved very much, and it ſhall content me, ſo that it be not in the Match.*

The Conde d'OLIVARES's LETTER of the 8th of *November*, 1622, touching the Marriage.

SIR,

CONſidering in what Eſtate we find the Treaty of the Marriage between Spain *and* England, *and knowing certainly how the Miniſters did underſtand this Buſineſs, that treated in the Time of* Philip III. *(now in Heaven) that their Meaning was never to effect it; but by enlarging the Treaties and Points of the ſaid Marriage, to make Uſe of the Friendſhip of the King of* Great Britain, *as well in the Matters of* Germany *as of* Flanders; *and ſuſpecting likewiſe, that your Majeſty is of the ſame Opinion, altho' the Demon-*

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An. 21 James I. 1623. *Demonſtrations do not ſeem ſo joining to theſe Suſpicions; yet it is certain, that the Infanta Donna* Maria *is reſolved to put herſelf into the* Diſcalzes (*k*)*; the ſame Day that your Majeſty ſhall preſs her to make this Marriage; I thought fit to repreſent unto your Majeſty that which my good Zeal hath offered unto me on this Occaſion; thinking it a good Time to acquaint your Majeſty withall, to the end you may reſolve of that which you ſhall find moſt convenient, with the Advice of thoſe Miniſters that you ſhall think fit.*

The King of Great Britain *doth find himſelf, at this Time, equally engaged in two Buſineſſes; the one is the Marriage, to which he is moved by the Conveniences that he finds in your Majeſty's Friendſhip, without making an Agreement which thoſe Catholics that he thinks are ſecretly in his Kingdom, and by this to aſſure himſelf of them; as likewiſe to marry his Son to one of the Houſe of* Auſtria, *knowing that the Infanta Donna* Maria *is the beſt born Lady in the World. The other Buſineſs is the Reſtitution of the* Palatinate, *in which he is yet more engaged; for beſides that his Reputation is at the Stake, there is added the Love and Intereſt of his Grand Children, Sons of his only Daughter; ſo that, both by the Law of Nature and Reaſons of State, he ought to put them before whatſoever Inconveniences might follow from diſſembling what they ſuffer.*

I do not diſpute whether the King of Great Britain *be governed in this Buſineſs of the* Palatinate *by Art or Friendſhip: I think a Man may ſay he uſed both; but, as a Thing not preciſely neceſſary to this Diſcourſe, I omit it. I hold it a Maxim, that thoſe two Engagements, in which he finds himſelf, are inſeparable; for although the Marriage be made, we muſt fail in that, which, in my way of Underſtanding, is moſt neceſſary, the Reſtitution of the* Palatinate.

This being ſuppoſed, having made this Marriage in the Form as it is treated, your Majeſty ſhall find yourſelf, together with the King of Great Britain, *engaged in a War with the Emperor and the Catholic League; ſo that your Majeſty will be forced to declare*

(*k*) A Monaſtery ſo called.

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clare yourself, with your Arms, against the Emperor and the Catholic League; a Thing which, to bear with this Uncertainty, will offend your godly Ears; and, declaring yourself for the Emperor and the Catholic League, (as you certainly will) your Majesty will find yourself brought into a War against the King of England, *and your Sister married with his Son; with the which all whatsoever Reasons of Convenience, that were thought upon with this Marriage, do cease. If your Majesty shall shew yourself neutral, (as it may be some will propound) That will give cause of very great Scandal; and with just Reason, since, in Matters of less Opposition, than of Catholics against Heretics, the Arms of this Crown have taken the godly against the convenient Party: And, at this Time, the* Frenchmen *fomenting the* Hollanders *against your Majesty, your Piety hath been such, that you have sent your Arms against the Rebels of that Crown; leaving all the great Considerations of State, only because these Men are Enemies to Faith and the Church.* An. 21 James I. 1623.

It will oblige your Majesty, and give Occasion to those of the League to make Use of the King of France *and other Catholic Princes ill-affected to this Crown; for it will be a Thing necessary for them to do so; and those, even against their own Religion, will foment and assist the Heretics for Hatred to us; without doubt they will follow the other Party, only to leave your Majesty with that Blemish that never hath befallen any King of these Dominions. The King of* England *will remain offended and disobliged, seeing neither Interests nor Helps do follow the Alliance with this Crown; as likewise with Pretext of particular Resentment, for having suffered his Daughter and Grand-Children to be ruined for Respect of the said Alliance.*

The Emperor, tho' he is well affected, and obliged to us in making the Translation at this Time (l), as Business now stands, the Duke of Bavaria *being possessed of all the Dominions; although he would dispose all*

(l) The Translation of the *Palatine* Electorate to the Duke of *Bavaria*.

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An. 21 James I. 1623. *all according to our Conveniences, it will not be in his Power to do it, as your Majesty and every Body may judge; and the Memorial that the Emperor's Ambassador gave your Majesty Yesterday maketh it certain; since, in the List of Soldiers, which it maketh every one of the League to pay, he shews your Majesty, that* Bavaria, *for himself alone, will pay more than all the rest together; the which doth shew his Power and Intention, which is not to accommodate Matters, but to keep to himself the Superiority of all in this broken Time. The Emperor is now in the Dyet, and the Translation is to be made in it.*

The Proposition in this Estate is by considering the Means for a Conference, which your Majesty's Ministers will do with their Capacity, Zeal, and Wisdom; and it is certain they will have enough to do with it all: For the Difficulty is to find a Way to make the present Estate of Affairs streight again; which, with lingering, as it is said, both the Power and Time will be lost. I suppose that the Emperor, as your Majesty knoweth by his Ambassadors, desires to marry his Daughter with the King of England's *Son; I do not doubt but he will be likewise glad to marry his second Daughter with the* Palatine's *Son; then I propound that these two Marriages be made, and that they be set on foot immediately, giving the King of* England *full Satisfaction in all his Propositions, for the more strict Union and Correspondency, that he may agree to it. I hold it for certain, that all the Conveniences that would have followed the Alliance with us, will be as full in this, and the Conveniency in the great Engagement is more by this; for it doth accommodate the Matter of the* Palatinate, *and the Succession of the King of* England's *Grand-Children, with Honour, and without drawing a Sword or wasting Treasure: With this Interest the Emperor, with the Conveniences of the King of* England *and the* Palatinate, *(the only Means, in my Way of understanding, to hinder those great Dangers that do threaten) may readily accommodate the Business, without severing himself from the Convenience and Engagement of* Bavaria. *Then I would reduce the Prince Elector, that was an Enemy,*

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Enemy, to the Obedience of the Church, by breed- An. 21 James I.
ing his Sons in the Emperor's Court with Catholic 1623.
Doctrine.

The Buſineſs is great, the Difficulties greater than perchance have been in the other Caſe. I have found myſelf obliged to repreſent unto your Majeſty, and ſhall ſhew, if you ſhall command me, what I think fit for the diſpoſing of theſe Things, to the great Miniſters that your Majeſty hath. I hope, with the particular Notice of theſe Things; and all being helped with the good Zeal of the Conde de Gundamore, *it may be God will open a Way to a Thing ſo much for his and your Majeſty's Service.*

'It was obſerved, by reaſon of the pertinent Queſtion moved by the Lord Chamberlain, that theſe Letters were written when *Porter* was in *Spain*.'

'His Highneſs remembered, that Sir *Walter Aſton* was ſtruck mute at the reading of theſe Letters; for, upon the Death of the late King of *Spain*, he and Sir *Francis Cottington*, going from our Maſter to the King that now is, to know his Mind concerning the Treaty of the Marriage, received from that King, and returned it to his Majeſty, That he was very ſorry that he had not the Honour to begin it; but now he would purſue it with all Alacrity. It went before in his Father's Lifetime; it ſhall run now: Then it had leaden Heels; he would now give it Wings.'

And hitherto extends the *third Part* of the NARRATIVE, which comprehends the *Treaties* of the *Marriage* and *Reſtitution*, as united, and now reciprocally ſubordinated the one to the other.

IV. *The* PRINCE's RETURN *from* Spain.

'And now the Prince returning for *England*, being engaged to leave his Proxy, did depoſite the ſame in the Hands of the Earl of *Briſtol*, who was to keep it as his Proctor; that is, as he ſhould receive his Highneſs's Direction from Time to

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An. 21 James I. 1623. Time. His Order for the preſent was, That if a Confirmation came from *Rome*, clear and entire, which it did not, then within ſo many Days he ſhould deliver it to the King of *Spain*. A ſecond Direction was ſent unto him by a Letter, which his Highneſs ſent unto him between his Departure from the *Eſcurial* and his Coming to the Sea-Side, to this Effect; 'That for fear a Monaſtry ſhould rob him of his Wife, he ſhould ſtay the Delivery of the Powers until that Doubt was cleared; and that his Highneſs ſhould ſend him, in the Premiſſes, ſome further Direction.'

'Here, becauſe my Lord of *Briſtol*, in his Letter of the firſt of *November*, 1623. (which follows anon in this Diſcourſe) doth preſs ſo vehemently the Prince's Faith not to retract his Proxy; and that *Serica*, the Secretary, had inſerted ſuch a Clauſe in the Inſtrument, ſigned and ſealed authentically; the Lord Keeper, in his Report in this Place, collected all thoſe Parts of the Narration which might ſerve to clear this Act of his Highneſs; and added ſome Reaſons to maintain the ſame.'

'*Firſt*, The Prince avowed openly, before both Houſes, That he had never, by Oath or Honour, engaged himſelf not to revoke the Powers, more than by the Clauſe *de non revocando Procuratore*, inſerted in the Inſtrument itſelf.'

'*Secondly*, His Highneſs added in the Upper Houſe, That when he himſelf firſt heard that Clauſe read, he ſtumbled at it; but was anſwered again, that it was but a Matter of meer Form, and, though eſſentially of no binding Power, yet uſually it is thruſt into every ſuch Inſtrument.'

'*Thirdly*, The Lord Keeper ſaid, and appealed therein to all the Civilians attendant in that Houſe, That it is lawful, by the Civil and Common Law, for any Man to revoke his Proxy for Marriage, notwithſtanding it hath the Clauſe *de non revocando Procuratore* inſerted in it; yea, and this may be done without any ſolemn Notification thereof: And therefore he concluded, that the Earl of *Briſtol*, in charging this upon the Prince, had therein forgot

forgot himself; and that his Highneſs might juſtly, honourably, and legally, not only have ſtopped as he did, but withall, if he had ſo pleaſed, abſolutely have revoked his own Proxy.' An. 21 James. K. 1623.

And thus much of the *fourth Part* of the NARRATIVE, Of the *Prince's Return* from *Spain*.

V. *The* SUBSEQUENT PROCEEDINGS *of his* MAJESTY *in both the Treaties, ſince the Return of his Highneſs.*

'And here the Duke told us how the Prince; at the laſt, by the Mercy of God, and his own wiſe and judicious Demeanor, came to *Royſton*; and made his Relation to the King of all that had paſſed. His Majeſty was glad of this exact Carriage of his Son in ſo great a Negotiation, and told his Higneſs, That he had acted well the Part of a Son, and now the Part of a Father muſt come upon the Stage; which was, to provide with all Circumſpection, that his only Son ſhould not be married with a Portion of Tears to his only Daughter; and therefore his Majeſty commands, by an expreſs Diſpatch, that a Stop be put to the Proxy in the Earl of *Briſtol's* Hands, until he had ſome better Aſſurance of the Reſtitution of the *Palatinate*. Hereupon the Lord Keeper obſerved, That this is no upſtart or ſpringing Condition, but that the very ſame was offered by *Olivares's* blank Papers to his Highneſs, and preſſed by his laſt Anſwer to *Olivares*.

His Majeſty's LETTER to the Earl of *Briſtol*, *October* 8th, 1623.

WE have received yours, brought us by Greyſley, *and the Copy of yours to our dear Son: And we cannot forbear to let you know how well we eſteem your dutiful, diſcreet, and judicious Relation and humble Advice to ourſelf and our Son, whereupon having rightly deliberated with ourſelf, and communicated with our dear Son, we have reſolved, with the great Liking of our Son, to reſt upon that*

An. 21 James I. 1623. *Security, and in point of Doubt of the Infanta's taking a religious Order, which you in your Judgment think meet; we have further thought meet to give you Knowledge, that it is our special Desire, that the Betrothing of the Infanta, with Words* de præsenti, *should be upon one of the Days in* Christmas *New Stile, that holy and joyful Time best befitting so notable and blessed an Action.*

But first we will, that you repair presently to that King, and give him Knowledge of the safe Arrival of our dear Son at our Court, so satisfied and taken with the great Entertainment, personal Kindness, Favour and Respect he hath received from that King and Court, as that he seems not able to magnify it sufficiently: We will therefore, that, by all possible Means you endeavour to express our Thankfulness to that King, and the rest to whom it belongs, in the best and most ample Manner you can.

And hereupon you may take Occasion to let that King know, that, according to our constant Affection, to make a firm and indissolvable Amity between our Families, Nations and Crowns, (and not to seem to abandon our Honour, nor, at the same Time we give Joy to our only Son, to give our only Daughter her Portion in Tears) by the Advice of that King's Ambassadors, who have offered themselves as our Counsellors, we have entered into a Treaty concerning the Restitution of the Palatinate, *as will more particularly to you appear, by the Copies herewith sent.*

Now, we must remember you, that we have understood and expected, that, upon the Marriage of our Son with the Infanta, we should have a clear Restitution of the Palatinate *and Electoral Dignity to our Son-in-Law; to be really procured by that King, according to the Obligation of his own Honour, as you have well expressed in your Reasons why the Person of our Son-in-Law should not be left out of the Treaty, but that the Emperor should find out some great Title, or by encreasing the Number of Electoral Stiles, wherewith to satisfy the Duke of* Bavaria. *We therefore now require you, that presently, in your first Audience, you procure from that King a punctual Answer what*

Course he will take for the Restitution of the Palatinate *and* Electorate *to our Son-in-Law; and, in case that either the Emperor or the Duke of* Bavaria *will oppose any Part of the expected Restitution, what Course the King will take to give us Assurance for our Content in that Point whereof we require your present Answer; and that you so press Expedition herein, that we may together receive the full Joy of both at* Christmas: *Resting upon that faithful Diligence of yours we have approved in all your Service, though, almost with the latest, we must remember to you, as a good Ground for you to work on, that our Son did write unto us out of* Spain, *That the King would give us a Blank, in which we might form our own Conditions concerning the* Palatinate; *and the same our Son confirms unto us now: What Observation and Performance that King will make, we require you to express, and to give us a speedy Account.*

Given, &c. An. 21 Jac. I 1623.

'Hereabouts the Duke desired us to observe well the *Spanish* Proceedings; and if we found them not still to be built upon Generals, without any one distinct or certain particular Obligement, he would acknowledge his own Weakness and Incapacity of those Affairs.'

'You would conceive, said the Duke, that upon this Dispatch, the Earl of *Bristol* would lay hold upon all the Hints and emergent Occasions to put off the Desponsaries, without this required Assurance of Assistance by Arms first obtained: But the Truth is, he did not so.' For,

First, 'The Confirmation came from *Rome*, clogged and mangled; and, instead of challenging them thereupon, he labours, with no small Strength of Wit, to hide and palliate the same.'

Secondly, 'When, in the temporal Articles, the Portion was altered from 600,000*l.* in ready Cash, to only 80,000*l.* in Money, a few Jewels, and a Pension of 20,000*l. per Annum*: Instead of

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1 & 2 James I. 1623. quarrelling this main Alteration, he ſeems to approve and applaud the Payment.'

Thirdly, 'For the Aſſurance of Reſtitution of the *Palatinate*, the main Foundation of both Match and Friendſhip, he is ſo far from providing for it before, (which was the Method preſcribed him by the King) that he leaves it to be mediated by the Infanta after the Marriage.'

Laſtly, 'Inſtead of putting off the Contract, as any Man in the World (upon the Diſpatch from *Royſton*) would have done, he is come to prefix a preciſe Day for the Deſponſaries.'

'Theſe Things appear very plainly, by the Letters of the 24th of *October*, and the 1ſt of *November*, 1623, which follow:'

May it pleaſe your Moſt Excellent Majeſty,

I HAVE received your Majeſty's Letters, of the 8*th of* October, *on the* 21*ſt of the ſame Month, ſome Hours within Night; and have thought it fit to diſpatch this back to your Majeſty, with all poſſible Speed; referring the Anſwer to what your Majeſty hath, by theſe Letters, commanded me, to a Poſt that I ſhall purpoſely diſpatch, when I ſhall have negotiated the Particulars with this King and his Miniſters; wherein (God willing) all poſſible Diligence ſhall be uſed.*

But, foraſmuch as I find, both by your Majeſty's ſaid Letters, and likewiſe by Letters which I have received from the Prince his Highneſs, that you continue your Deſires of having the Match proceeded in; I held it my Duty, that your Majeſty ſhould be informed, that though I am ſet free (in as much as concerneth the Infanta's entering into a religious Order) for delivering the Powers left with me by his Highneſs; yet, by this new Direction I now received from your Majeſty, That the Deſponſaries ſhould be deferred till Chriſtmas, *the ſaid Powers are made altogether uſeleſs and invalid; it being a Clauſe in the Body of the ſaid Powers, that they ſhall only remain in Force until* Chriſtmas *and no longer; as your Majeſty*

may

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may see by a Copy of them, which I send here in- An. 21 James I. 1623.
closed.

Your Majesty, I conceive, will be of Opinion, that this Suspending of the Execution of the Powers, until the Force and Validity of them be expired, is a direct and effectual Revoking of them; which, not to do, how far his Highness is in his Honour engaged, your Majesty will be best able to judge, by viewing the Powers themselves.

Further, if the Date of these Powers do expire, (besides the Breach of the Capitulations) although the Match itself should not, by Jealousies and Mistrusts, be hazarded, yet the Prince his coming into England *at the Spring will be almost impossible; for, by the Time that such new Commissions and Powers shall be after* Christmas, *granted by the Prince as may be to the Satisfaction of both Parties, I conceive, so much of the Year will be spent, that it will be impossible for the Fleets and other Preparations to be in Readiness against the Spring: For it is not to be imagined that they will here proceed so effectually with Preparations, until they shall be assured of the Desponsaries; especially, when they shall have seen them several Times deferred on the Prince his Part, and that upon Pretexts that are not new, nor grew since the granting of the Powers, but were before in being, and often under Debate, and yet never were insisted on to make Stay of the Business; so that it will seem, that they might better have hindered the granting of them, than the Execution of them. Now, if there is no Staggering in former Resolutions, the which, although really there is not, yet it cannot but be suspected; and the Clearing of it between* Spain *and* England *will cast much Time: I must humbly crave your Majesty's Pardon, if I write unto you with the Plainness of a true-hearted and faithful Servant, who has ever co-operated honestly to your Majesty's Ends, if I know them.*

I know your Majesty hath long been of Opinion, that the greatest Assurance you could get, that the King of Spain *would effectually labour the entire Restitution of the* Palatinate, *was, that he really proceeded to the effecting of the Match: And my In-*

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An. 21 James I. 1623. *ſtructions, under your Majeſty's Hands, were to inſiſt upon the Reſtoring of the Prince* Palatine; *but not ſo to annex it to the Treaty, as that thereby the Match ſhould be hazarded; for that your Majeſty ſeemed confident, that they here would never grow to a perfect Concluſion, without a ſettled Reſolution to give your Majeſty Satisfaction in the Buſineſs of the* Palatinate. *The ſame Courſe I obſerved in the Carriage of Buſineſs by his Highneſs and my Lord Duke at their being here; who, though they inſiſted upon the Buſineſs of the* Palatinate, *yet they held it fit to treat of them diſtinctly; and that the Marriage ſhould proceed as a good Pawn for the other.*

Since their Departure, my Lord Ambaſſador, Sir Walter Aſton, *and myſelf, have much preſſed to have this King's Reſolution in Writing concerning the* Palatinate; *and the Diſpatches which your Majeſty will receive herewith, concerning that Buſineſs, were written before the Receipt of your Majeſty's Letters: And, doubtleſs, it is now a great Part of their Care, that that Buſineſs may be well ended, before the Infanta's coming to* England: *And his Highneſs will well remember, that the Conde* d'Olivares *often proteſted the Neceſſity of having this Buſineſs compounded and ſettled before the Marriage; ſaying, otherwiſe they might give a Daughter and a War within three Months after, if this Ground and Subject of Quarrel ſhould ſtill be left on Foot. The ſame Language he hath ever held with Sir* Walter Aſton *and myſelf, and that it was a firm Peace and Amity, as much as any Alliance, which they ſought with his Majeſty. So that it is not to be doubted but this King, concluding the Match, reſolveth to employ his utmoſt Power for your Satisfaction, in the Reſtitution of the Prince* Palatine. *The Queſtion now will be, Whether the Buſineſs of the Prince* Palatine, *having Relation to many great Princes that are intereſted therein, living at great Diſtance, and being, for the Condition and Nature of the Buſineſs itſelf, impoſſible to be ended but by a formal Treaty, which of Neceſſity will require great Length of Time; the Concluſion of the Match ſhall any Way depend*

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depend on the Issue of that Business? Which I conceive to be far from your Majesty's Intention; for so the Prince might be kept unbestowed, by the Averseness of those that might have particular Interest in the Prince his remaining unmarried, or Dislike of his matching with Spain. *But this which I understand to be your Majesty's Aim, is only to have the Conclusion of his Match accompanied with as strong an Engagement as can be procured from the King, for the joining with your Majesty, not only in all the good Offices for the entire Restitution of the* Palatinate, *but otherwise, if Need require, of his Majesty's Assistance herein, I have these many Days past laboured with all Earnestness, and procured the King's public Answer; which, I am told, is resolved of, and I shall, within these few Days, have it to send to your Majesty; as likewise a private Proposition, which will be put in your Hands: And shall not fail further to pursue your Majesty's present Directions, of procuring the King's Declaration, in what Sort your Majesty may rely on the King's Assistance, in case the Emperor or the Duke of* Bavaria *shall oppose the entire Restitution of the Prince* Palatine. *But, I conceive, if it be your Majesty's Intention that I should procure here, first, this King's peremptory Answer in the whole Business, and how he will be assistant unto your Majesty, in case of the Emperor's or the Duke of* Bavaria's *Averseness; and that I should send it to your Majesty, and receive again your Answer, before I deliver the Powers for the Desponsaries; the Match would thereby, if not be hazarded, yet, I conceive, the Infanta's going at Spring would be rendered altogether impossible; for, upon Arrival of the* Pope's *Approbation, I cannot refuse them but upon some Ground. If I alledge your Majesty's Desire of having the Desponsaries deferred until* Christmas, *they know as well as myself that his Highness's Proxy is then out of Date, besides the infringing of the Capitulations; and they will judge it as a great Scorn put upon this King, who, (ever since the Prince his granting of his Powers) hath called himself the Infanta's Desponsado; and, to that effect, the Prince*

An. 21 James I. 1623.

hath

An. 21 James I. 1623. *hath writ unto him in ſome of his Letters. Beſides, it will be held a Point of great Diſhonour unto the Infanta, if the Powers called for by her Friends ſhould be detained by the Prince his Part; and whoever elſe may have deſerved ill, ſhe certainly hath neither deſerved Diſreſpect nor Diſcomfort. Further, upon my Refuſal to deliver the Powers, all Preparations, which now go on chearfully and a-pace, will be ſtayed; and there will enter in ſo much Diſtruſt, and ſo many Jealouſies, that if the main Buſineſs run not Hazard by them, at leaſt much Time will be ſpent to clear them.*

I muſt therefore, in Diſcharge of my Duty, tell your Majeſty, That all your Majeſty's Buſineſs here is in a fair Way; the Match and all that is capitulated therein they profeſs punctually to perform.

In the Buſineſs of the Palatinate, *they proteſt, they infinitely deſire, and will, to the utmoſt of their Powers, endeavour to procure your Majeſty Satisfaction.*

The Prince is like to have a moſt virtuous and worthy Lady, and who much loveth him; and all Things elſe, depending upon this Match, are in good and hopeful Ways.

This is now the preſent Eſtate of your Majeſty's Affairs, as it appeareth to me and to Sir Walter Aſton; *with whom I have communicated this Diſpatch, as I do all Things elſe concerning your Majeſty's Service. And I muſt clearly let your Majeſty underſtand, That, I conceive, by retaining the Powers when the King ſhall call for them, and offering to defer the Deſponſaries until* Chriſtmas, *that your Majeſty's Buſineſs will run a great Hazard; what by the Diſtaſtes and Diſguſts that will be raiſed here, and what by the Art and Induſtry of thoſe which are Enemies to the Match, whereof every Court of* Chriſtendom *hath Plenty.*

That therefore which I preſume, with all Humility, to offer to your Majeſty is, That you would be pleaſed to give me Order, with all poſſible Speed, that when the Buſineſs ſhall come cleared from Rome; *and that the Powers of the Marriage ſhall be demanded of me in behalf of this King; that I may deliver*

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deliver them, and no ways ſeek to interrupt or ſuſpend the Deſponſaries, but aſſiſt and help to a perfect Concluſion of the Match. An. 21 Jacobi, 1623.

And that for the Buſineſs of the Palatinate, *I continue my earneſt and faithful Endeavours to engage this King, as far as ſhall be poſſible, both for the doing all good Offices for the* Palatine's *entire Reſtitution, as likewiſe, for this King's Declaration of Aſſiſtance, in caſe the Emperor or the Duke of* Bavaria *ſhall oppoſe the ſaid Reſtitution; Herein I will not fail to uſe all poſſible Means; and, I conceive, the Diſpatch of the Match will be a good Pawn in the Buſineſs; and the Help and Aſſiſtance which this Court (the Princeſs being once betrothed) would be able to give to all your Majeſty's Buſineſs, would be of good Conſideration. So, fearing I have already preſumed too far on your Majeſty's Patience, I humbly crave Leave of your Majeſty's Pardon, and recommend you to the holy Protection of God, reſting*

Madrid, 24 Oct. 1623.

Your Majeſty's
moſt humble, and faithful
Subject and Servant,
BRISTOL.

The Earl of BRISTOL to his Majeſty.

May it pleaſe your Majeſty,

I FIND, upon the News that is now come from the Duke of Paſtrana, *that the* Pope *has clearly paſſed the Diſpenſation, which is now hourly expected here. There is an Intention to call preſently upon me for the Prince's Powers for the Marriage left in my Hands, the which I know not upon what Ground or Reaſon to detain; the Prince having engaged, in the ſaid Powers, the Faith and Word of a Prince, no way to revoke or retract from them, but that they ſhould remain in full Force until* Chriſtmas; *and delivered unto me, with public Declaration of his Pleaſure, that upon the Coming of the Diſpenſation, I ſhould deliver them unto the King, that they might be put in due Execution. And hereof likewiſe was there, by Secretary* Serica,

as

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the 21 June 1623. as a Public Notary, an Instrument drawn, attested by all the Witnesses present.

If I shall alledge your Majesty's Pleasure, of having the Marriage deferred until one of the Christmas Holidays; altho' they should condescend thereto, that is impossible, for the Powers will then be expired. If I shall insist upon the Restitution of the Palatinate, this King hath therein declared his Answer; and it will be much wondered at, why that should be now added for a Condition of the Marriage, having ever hitherto been treated as a Business apart, and was in being at the granting of the said Powers, and hath been often under Debate, but never specified, nor the Powers delivered upon Condition of having any such Point first cleared. And I must confess unto your Majesty, I understand not how, with Honour and that exact Dealing which hath been ever observed in all your Majesty's Actions, the Powers can be detained, unless there should appear some new emergent Cause since the granting of them; whereof, as yet, I hear none specified. I being, therefore, loth to be the Instrument, by whose Hands any Thing should pass that might leave the least Reflection upon your Majesty's or the Prince's Honour, which I shall ever more value than my own Life or Safety; and, judging it likewise to conduce more to your Service; and assuring myself that your Majesty's late Direction, to have the Marriage upon one of the Holidays in Christmas, was for want of due Informations, that the Powers would then be expired: I have thought fit, with the Advice of Sir Walter Aston, *to raise no Scruple in the Delivery of the said Powers; but do intend, when they shall be required, to pass on to the Nomination of a prefixed Day for the Despousaries; though I shall endeavour to defer the Time until I may be advertised of your Majesty's Pleasure, if it may be within the Space of twenty-four Days; and will labour to find some handsome and fair Occasion for the deferring of them, without alledging any Directions of that Kind from your Majesty or the Prince.*

The Reasons why I have thought it fit to take this Resolution are:

First,

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First, I find by your Majesty's Letters, and the Prince's, that your Intent is to proceed in the Marriage; and to that Purpose your Majesty and the Prince have set me free to deliver the Powers, according to the first Intentions, by removing that Scruple of the Infanta's entering into a religious Order whereupon they were only suspended. An. 21 James I. 1623.

Secondly, Your Majesty's Letter intimateth only a Desire, not a Direction, of having the Marriage upon one of the Holydays in Christmas; *which, I conceive, is to be understood, if it may well and fittingly be so; not, if there shall be an Impossibility therein, by reason of the expiring of the Powers before, and that the Intention of having it then should be overthrown thereby; when I am confident that what your Majesty writeth, is for want of due Information of the Clause of Expiration of the Powers.*

Thirdly, If your Majesty, upon these Reasons, and such as I have formerly alledged unto your Majesty, should, as I no way doubt but your Majesty will, give me Order for the present proceedings to the Marriage; yet, upon my refusing the Powers, and alledging your Majesty's or the Prince's Direction, (although afterwards all Things should be cleared) it would cast some Kind of Aspersion and Jealousy upon the Sincerity of your Majesty's or the Prince's Proceedings: On the contrary Side, if your Majesty's Intentions be not to proceed in the Match, whereof I see no Ground, the Intimation of that may be as well a Month hence as now: And I judge it a Duty in a Servant, especially in a Business of so high Consequence, and wherein your Majesty hath spent so much Time, to give his Master Leisure to repair unto his second Cogitations before he do any Order that may overthrow it.

This I offer, with all Humility, unto your Majesty's wise and just Consideration; and beseech you to make Interpretation of my Proceedings herein, according to my dutiful and zealous Care of your Honour and Service.

I have of purpose dispatched this Post with this Letter, to the end I may receive your Majesty's Directions,

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An. 21 James I. 1623. *rections, in this Particular, with all poſſible Speed; which I hope ſhall be to proceed directly to the Marriage, according to the Capitulations; and ſo to order all Things for the Princeſs's Journey in the Spring. And, for the* Palatinate, *your Majeſty may be confident there ſhall be all Diligence uſed in procuring a ſpeedy and good Reſolution. So, &c.*

Madrid, Nov. 11 O. S. 1623.

'Now, from this raſh fixing of the Day of the Deſponſaries in *Spain*, which was controlled again by an Expreſs from hence, an unneceſſary Diſcourteſy was put upon that King, and, in a Manner, wantonly, by the Earl of *Briſtol*; from that proceeded a greater Affront put upon the Prince, the taking away the Title of *La Princeſſa* from the Infanta; and the debarring of our Ambaſſadors from any further Acceſs unto her Perſon, as her Servants and Attendants: And, with theſe, the greateſt Diſcourteſy of all put upon the King our Maſter, that when they returned unto us a poor, lean, and meagre Diſpatch concerning the Reſtitution of the *Palatinate*, yet the Earl of *Briſtol* accompanied it with this *Item*, That they were fain to antedate the Paper for their Honour's Sake; or elſe, if they had taken Notice of the Stay of the Deſponſaries, they had ſent it ten Times worſe. You will not believe his Lordſhip when you have read it.'

The King of SPAIN's ANSWER, of the 6th of *December*, 1623, to the AMBASSADOR's MEMORIAL, touching the Buſineſs of the PALATINATE.

THAT which his Catholic Majeſty hath commanded ſhould be given in anſwer to the third Memorial, which the Earl of Briſtol *and Sir* Walter Aſton, *Ambaſſadors Extraordinary and Ordinary to his Majeſty the King of* Great Britain, *delivered unto him; touching the Buſineſs of the* Palatinate, *is,*

That

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That his Majesty hath seen the third Memorial which they delivered, touching the Business of the Palatinate, *and that the Answers which he hath of late commanded should be given unto the rest, which they have delivered in that Business, presupposed, as it seemed to him, that there can be nothing else in answer to that which they now present; since the Answer therein required is not necessary until all that is there propounded on the Behalf of the Count* Palatine *hath first taken Effect, and that he hath endeavoured to give the Emperor Satisfaction, by the Demonstrations and Satisfactions therein mentioned; for that it were Injustice in his Catholic Majesty to shew any Distrust that the Emperor's Uncle should not use his Mercy and Clemency, and give the King's Majesty of* Great Britain *all possible Satisfaction, in case the Count* Palatine *performed such Acts of Submission and Assurance, as in the said Memorial are propounded, especially being accompanied with the Favour and Intercession of his Majesty, which is and ever shall be interposed for the effecting of it; and that, in doing otherwise, his Majesty should lose the Power which he hath as an Arbitrator and Mediator in this Business, in accommodating it to the Content and Satisfaction of his Majesty the King of* Great Britain, *as he much desireth and shall endeavour; and to doubt of the effecting of it so, seemeth to his Majesty, were to injure the Emperor, considering their Amity and good Correspondence, and the confident Assurance he hath of his Intercession with him: And is likewise of Opinion, that, to the end the good Offices which his Majesty shall do in this Business may take the good Effect which he wisheth, and that the King of* Great Britain *may receive all Satisfaction, it is fit that his Catholic Majesty should not make himself a formal Party in it, as it is pressed by the Ambassadors.*

An. 21 James I. 1623.

Madrid, Dec. 6, 1623.

Here the Prince observed, That whereas the King of *Spain* saith in this Paper, that he hath no Power over the Emperor, yet in other Treaties he took upon him to have much Power over him; so that his

An. 21 James I. 1623. his Highneſs ſaid, He verily believed he had, and had not, Power at his Pleaſure.

Well, for all that Bravado and Menace upon their former Diſpatch, they have taken their Pen in Hand again, and have ſent to his Majeſty a Project of a Letter; the which, if his Majeſty ſhall make an Invitation to that Effect, ſhall be ſent unto his Majeſty from the King of *Spain*; and the Letter is the *Herculis Pillars*, and the *nihil ultra* in all this Negotiation of the *Palatinate*.

DON JUAN de SERICA's LETTER, ſent with the King of SPAIN's ANSWER of the 5th of *January*, 1624, *N. S.* touching the PALATINATE.

FOR the Eſtimation which his Majeſty maketh of your Lordſhip and Sir Walter Aſton, *and for the Deſire he hath to ſatisfy the Inſtances you have made, that he would write unto the King of* Great Britain *in the Buſineſs of the Prince* Palatine, *he hath condeſcended thereunto; but this ſhall be done when you ſhall bring any Letters from the King of* Great Britain *touching the ſaid Buſineſs; and hath, in the mean Time, commanded me to ſend you this Copy, which is the Anſwer which his Majeſty commandeth to be given to that which was laſt propounded by you in that Buſineſs; and that when you ſhall bring the ſaid Letter from the ſaid King, then the Original of the King my Maſter ſhall be delivered unto you with a great Deſire of giving full Satisfaction. God preſerve your Lordſhip, &c.*

JUAN de SERICA.

The KING's ANSWER abovementioned.

HAVING given Anſwer to your Majeſty's Ambaſſadors, and to ſuch Memorials as they have hitherto delivered unto me, touching the accommodating the Buſineſs of the Prince Palatine; *and having made known my Deſire and Intention herein, they have again of late, with much Earneſtneſs, ſolicited me in the three Points following:*

The

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The first, *That I should do all good Offices of Mediation with the Emperor, to the end he may yield unto the Prince* Palatine *the entire Restitution of his Possessions and Dignities.* An. 21 James I. 1623.

The second, *That a limited Time be appointed for the negotiating, by way of Mediation.*

The third, *That I should, forthwith, declare myself, that the said Mediation not taking Effect within the Time limited, I would employ my Arms against the Emperor.*

Touching the first, *your Majesty may rest assured, that I am ready, really and effectually, to assist your Majesty with the best Offices I shall be able, to the end you may receive entire Satisfaction, the Prince* Palatine *performing the due Submissions, and what else is required, or hath been said in my former Answer, touching the Alliance and Security on his Part; and that I will continue the said good Offices until the final Conclusion of the Business.*

As for the second *Point, I am well contented that there be a limited Time appointed, how long the Offices of Mediation are to endure; but since the Business cannot, without a formal Treaty, which cannot be but in these Parts, your Majesty (taking such Term of Time as shall be requisite for so great and difficult a Business) may agree on it there, either with the Infanta my Aunt, or with my Ambassadors, and I do, from Time to Time, approve thereof; and so your Majesty may give Order that, without Loss of any further Time, the Treaty begin for the accommodating the Business; wherein your Majesty may likewise make such Propositions for the satisfying the Duke of* Bavaria *as shall seem fitting.*

Concerning the third Part, *wherein I am intreated, in your Majesty's Name, by your Ambassadors, That I would forthwith declare myself, that in case the Mediation take no Effect, I would employ my Arms against the Emperor, although I am most certain and confident, that, by your Majesty's and my Intercession, together with the Submission of the Prince* Palatine, *and the Performance of what else shall be necessary, as is above said, the Emperor, my Uncle, will, without all*

An. 21 James I. 1623. *doubt, ſhew his Clemency, and give your Majeſty entire Satisfaction; yet, the making of ſuch a Declaration, beſides that it were to bereave me of the Power as Arbitrator and Mediator in the Buſineſs by making myſelf a formal Party, it were likewiſe to give juſt Occaſion of Offence to the Emperor, my Uncle, and to fail in that due Reſpect which is fitting I ſhould ſhew towards him, if I ſhould accompany the Office of a Mediation with Menaces of Arms; but your Majeſty may be confident that I will procure, by all Means poſſible with the Emperor, that this Buſineſs may be effected to your Majeſty's full Satisfaction; without drawing my Hand from it, until that which your Majeſty deſireth be accompliſhed.*

'This Letter his Majeſty hath already ſcanned to a Syllable, and ſuppoſing ſome Virtue might be extracted from that Phraſe, *Alzar la Mano*, and the King will not *take his Hand from off* the Buſineſs until our Maſter ſhall receive Satisfaction; his Majeſty ſent to the *Spaniſh* Ambaſſadors, Men of great Underſtanding and Quality, for a Key or a Comment to open the ſame: And, behold, this is all they return back to his Majeſty, nor take off his Hand, *i. e.* He will employ, without Intermiſſion, his beſt Offices to procure a Satisfaction to his Majeſty: And hitherto that Hand of Mediation hath proved but an unlucky Hand in all this Buſineſs.'

'Here the Lord-Keeper related ſomewhat that was delivered by Don *Serina* to the Earl of *Briſtol*, at the ſame Inſtant with this Project of the Letter; as Mr. *Clark*, who was then preſent, hath told the Duke of *Buckingham*; *viz.*

'That whereas the King of *Spain* had found his Error in going on ſo faſt with the Treaty of the Match, before he had cleared the Treaty of the Reſtitution of the *Palatinate*; he is now reſolved, to invert his Method, and to perfect the Treaty of the Reſtitution of the *Palatinate*, before he will proceed any further in that of the Marriage.'

'So

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'So the two Treaties, as they move in *Spain*, are now quit one with the other; as formerly the Treaty of the Marriage did juſtle out the Treaty of the *Palatinate*, ſo now the Treaty of the *Palatinate* hath quite excluded the Treaty of the Marriage.' An. 21 Jacobi. 1623.

'And here my Lord Duke acquainting us, as Admiral, with an Advertiſement he had received of the Fleet prepared in *Spain*, the Arreſt of ſome of our Ships, and the coming over of *Padre Majiſtro*, made an End of the *fifth Part* of the NARRATIVE; which contained the *ſubſequent Proceedings of his Majeſty*, by a ſelect Committee of Counſellors, in both theſe Treaties, ſince the Return of his Highneſs from *Spain*.

VI. *The* STATING *of the* QUESTION *ſuper totam Materiam.*

This Queſtion the Duke ſtates after this Manner:

'My Lords and Gentlemen all, Your ſpeedy and faithful Advice concerning this laſt Diſpatch which implieth, in the Word *Alliances*, the Education of the Prince *Palatine's* Son in the Emperor's Court; and promiſeth no Aſſiſtance by Arms to recover the *Palatinate*; is, That his Majeſty expected from both the Houſes, at this Time, Whether this Project of a Letter, being the full Effect and Produce of all the Negotiations which I have opened to you, be ſufficient, *ſuper totam Materiam*, for his Majeſty to rely upon with any Safety, as well for his Marriage of his only Son as for the Relief of his only Daughter; or, theſe Treaties ſet aſide, his Majeſty were beſt to truſt to his own Strength, and to ſtand upon his own Feet?'

'And ſo his Grace ended with this Concluſion, That if bringing us from Darkneſs to Light did deſerve any Thanks, we owe it, and muſt aſcribe it, to the Prince his Highneſs.'

After the Lord-Keeper had finiſhed this long Report, the Duke of *Buckingham* ſtood up and

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An. 21 James I. 1623.

The Duke of Buckingham's Narration resented by the Spaniſh Ambaſſador.

acquainted their Lordſhips, 'That Complaint was made againſt him for delivering ſomewhat, in his *Narration*, which did ſo highly touch the King of *Spain* in his Honour, that if the like had been uttered by any Subject of that King againſt his Majeſty, it could not be otherwiſe expiated but with the Loſs of his Head that ſpoke it. Wherefore, the Duke deſired their Lordſhips to take into Conſideration, whether he could have juſtified the leaving out any of the Particulars in the *Narration?*'

The Lords, in general, did commend the fair Proceeding of the Duke therein, and agreed, 'That, as his Grace deſerved all their Thanks for the ſame, ſo he had done ill if he had concealed any Part of it. That their Lordſhips did conceive that it was an Aſperſion laid upon their Houſe by this Complaint; becauſe it concerns their Lordſhips not to ſuffer any Thing to be publickly ſpoken, in their Hearing, in Diſhonour of ſo great a Prince in Amity with his Majeſty. And, they conceive that nothing then delivered did concern that King particularly, but were the Acts of his Officers and Miniſters only.'

But, for the full clearing of his Grace in this Matter, the Lord-Keeper, by general Conſent, put it to the Queſtion, 'That the Duke did deliver nothing, in his ſaid *Narration*, but what was fit for him to do, and what the Matter led him unto; which was unanimouſly agreed to. And their Lordſhips alſo agreed to ſatisfy his Majeſty herein by a Committee of their whole Houſe; and the Prince was deſired to intimate this their Requeſt to the King, and to let them know when his Majeſty would be pleaſed to admit them to his Preſence. The Lord-Keeper to be their Speaker.'

Then the Houſe was moved to take into their Conſideration, how the *Spaniſh* Ambaſſador came to this Knowledge: But the Duke requeſted their Lordſhips to deſiſt from that Enquiry; for that he only deſired his own Juſtification, and no Revenge.

But,

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But the Lords were ſtill more active in this Matter, and ſent a Meſſage to the Commons to this Effect: An. 21 James I. 1623.

'Whereas their Lordſhips are informed that Complaint hath been made to his Majeſty, by the *Spaniſh* Ambaſſador, That the Duke of *Buckingham*, in his *Narration* to both Houſes, had ſo highly touched the Honour of the King of *Spain*, that it could not be expiated but by his Head: Their Lordſhips, taking this into their Conſideration, do find this Complaint to faſten an Aſperſion upon themſelves alſo; and have, by general Vote of their Houſe, acquitted his Grace thereof; and have determined, by a Committee of their whole Houſe, to ſatisfy his Majeſty therein: And, to the end that their Lordſhips may ever, according to their Deſire, hold good Correſpondence with their Houſe, they have thought fit to ſignify it unto them.' But, the Meſſengers ſtaying long, the Lords agreed to adjourn to the Afternoon.

At which Time they received the following Anſwer to their Meſſage from the Commons: Both Houſes juſtify the Duke.

'That their Houſe had conſidered of the Meſſage, and do find the Complaint to aſperſe them alſo. They have acquitted the Duke of *Buckingham* of any Thing which he ſaid, touching the Honour of the King of *Spain*. They attribute much Honour to the Duke for his *Narration*, and give his Grace Thanks for the ſame; and they render like Thanks to their Lordſhips for this their good Correſpondency.'

To the end the Lords might truly ſtate the Queſtion upon the great Affair they were to adviſe the King about, they required to have the foregoing Letters from *Spain* read unto them again. After which the Attorney General read the following Letters from the Earl of *Briſtol*: Further Proceedings in relation to the Negotiations in Spain.

May it pleaſe your Moſt Excellent Majeſty,

I Received your Majeſty's Letters of the 9th of September, *and the 23d of the ſame Month, and by them underſtand that your Majeſty hath received much*

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An. 21 James I. 1623. *much Satisfaction from what I had formerly written to your Majesty, both concerning the Restitution of the Prince* Palatine; *as likewise, of this King's Resolution to proceed to the Conclusion of the Match; but that your Majesty finding the Effects very unsuitable both by the Proceedings at* Brussels *and in the* Palatinate; *as also, by what you understand from* Rome, *by Mr.* Gage, *of the* Pope's *Demands. I hope, by the Arrival of Mr.* Cottington, *your Majesty will have received Satisfaction, in some Measure at the least, that there hath been no Time or Diligence omitted, either for the redressing of any Thing that hath been amiss, or for the advancing of your Majesty's Affairs.*

The very Day I received your Majesty's Letters, I sent a Gentleman Post to the King, (who was gone to the Escurial) *to crave Leave to attend him, which he presently granted me; and I repaired thither to him upon the 3d of* October, *the Conde* de Gondamore *being likewise commanded to wait upon the King. I was there well received; and presently upon my Arrival, the Conde* d'Olivares *came to me to the Lodgings which were appointed for me to rest in; to him I delivered fully, in the Presence of Sir* Walter Aston *and the Conde* de Gondamore, *what I had to negotiate with the King, both in the Business of the Match and of the* Palatinate.

In the Match, I represented how much it imported your Majesty that a speedy Resolution might be taken therein; both in regard of the Prince, being your Majesty's only Son, now arrived to the Age of twenty two Years, and for the settling your Affairs in England: *I repeated to him all the Passages in this Treaty; how many Years had been already spent in it, and that after so long an Expectation, the Diligence used in* Rome, *for obtaining the Dispensation, had wrought but small Effect, since the* Pope *had lately made such Demands as were altogether impossible for your Majesty to condescend unto; and therefore, your Majesty seeing the Business still delayed, held it fit that some such Course might be taken, that your Majesty might speedily know what you have to trust unto;*

unto; and therefore had commanded me to signify unto this King, your utmost Resolution, how far you could condescend, in Point of Religion, towards what the Pope demanded. And if herewith this King could be satisfied, your Majesty desired that we might proceed to a final and speedy Conclusion; otherwise, that the King likewise would clearly declare himself, that your Majesty might lose no more Time in the disposing of the Prince your Son. Hereunto the Conde d'Olivares answered with some Length, the Substance whereof I shall only presume to set down to your Majesty. An. 21 James I. 1623.

He professed a sincere Intention and Resolution in this King to make the Match, and that there should not be one Day lost; for that the speedy Dispatch thereof imported them as much as your Majesty; and to the end no Time should be lost, this King had, the Day after the Death of Don Baltazar de Zuniga, appointed Don Ferdinando de Gyron in his Place, in his Commission. That for the going of Mr. Gage from Rome, and the Pope's Demands, they were absolutely ignorant of them; that the King had done all that I myself desired for the Redress of this Error; that I might assure your Majesty that you should find here all Sincerity and clear Proceeding, and without an Hour's Delay more than, of Necessity, the Nature of the Business required.

As for the Business of the Palatinate, I represented at large, the Merit of your Majesty's Proceedings, and the many Promises made from hence; yet, notwithstanding, whilst your Majesty was treating at Brussels, Heidlebergh, one of the three Places, which were only left, and where your Majesty had Garrisons, was besieged by the Archduke Leopold and Monsieur Tilly: That this King hath withdrawn his Forces, and so exposed the Palatinate absolutely to the Emperor and the Duke of Bavaria. The Conde d'Olivares answered me, by acknowledging how much your Majesty's Proceedings had deserved at the Emperor's and this King's Hands; that whatsoever your Majesty could expect, or had been at any Time promised, should by this King be really performed.

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An. 21 Jacobi I. 1623.

That the Prince Palatine's *own Course hitherto had been the only Hindrance of the effecting of it.*

That he referred it to your Majesty's own just Judgment, whether the calling of this King's Forces out of the Palatinate *were with any ill Intention, or merely for the Defence of* Flanders; *which, otherwise, had been put in great Hazard by Count* Mansfield, *as your Majesty saw by what had really passed: That the Siege of* Heidelberg *was no way by the Consent or Knowledge of the King, or any of his Ministers, but was generally disapproved by them all.*

I told him, I conceived that was nothing; for that your Majesty had engaged yourself to this King, That in case your Son-in-Law would not conform himself, you would not only forsake him, but declare yourself against him, and give the Emperor Assistance for the reducing of him to Reason; and that your Majesty could not but expect a like reciprocal Proceeding from this King his Master. He answered, Your Majesty should see this King's Sincerity by the Effects, and that if Heidelberg *should be taken, and the Emperor refuse to restore it, or condescend to such an Accommodation as should be held reasonable, this King would infallibly assist your Majesty with his Forces. And this he spake with great Assurance, and wished me to desire your Majesty to be confident, you would find nothing but real and sincere Proceedings from hence. I was then presently called for to the King, to whom I spoke, first, in the Business of the Match, and delivered him the Contents thereof in Writing; which I have sent to Mr. Secretary. I received from him the same Answer, in effect, as from the Conde d'Olivares, That he desired the Match no less than your Majesty; that, on his Part, there should be no Time lost from the Beginning of it to a speedy Conclusion. In the Business of the* Palatinate, *I spoke unto the King with some Length, repeating many Particulars of your Majesty's Proceedings, and how much your Honour was like to suffer: That now, whilst you were treating,* Heidelberg, *defended*

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defended by your Garriſon, was like to be taken. An. 21 James I. 1623.
The King anſwered me, He would effectually labour that your Majeſty ſhould have entire Satisfaction; and rather than your Majeſty ſhould fail thereof, he would employ his Arms to effect it for you. My Lord Ambaſſador, Sir Walter Aſton, *accompanied me at my Audience, and was a Witneſs of all that paſſed, as well with the King, as with the Conde* d'Olivares. *Within few Days after, the News of the taking of* Heidelberg *came hither; whereupon I diſpatched again to the King, in ſuch ſort as I have at large adverti ſed to Mr. Secretary* Calvert. *The Effect of my Negotiation was, That they, on the 13th of* October, *diſpatched Letters away to the Infanta, to ſtop the Emperor's and the Duke of* Bavaria's *Proceedings; but preſſing them further, in regard their former Letters have wrought ſo little Effect, they have given me a ſecond Diſpatch, which I have ſent to the Infanta, and whereof Mr. Secretary will give your Majeſty an Account; which, I conceive, will procure your Majeſty better Satisfaction, than hitherto you have received from the Emperor and his Party.*

For the Buſineſs of the Match, I have written to Mr. Secretary what is to be ſaid at preſent, and will only add, That as I ſhould not willingly give your Majeſty Hopes upon uncertain Grounds, ſo I would not conceal what they profeſs; which is, That they will give your Majeſty real and ſpeedy Satisfaction therein; and if they intend not, they are falſer than all the Devils in Hell, for deeper Oaths and Proteſtations of Sincerity cannot be made.

It will only remain that I humbly caſt myſelf at your Majeſty's Feet, with that Addition of Title wherewith it hath pleaſed you to honour me and my Poſterity. My Gratitude and Thankfulneſs wanteth Expreſſion, and ſhall only ſay to your Majeſty, That as all I have, either of Fortune or Honour, I hold it merely of your Bounty and Goodneſs, ſo ſhall I ever chearfully lay them down, with my Life into the Bargain, for the Service of your Majeſty and yours. So with

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An. 21 James I. 1623. *with my humbleſt Prayers for the Health and Proſperity of your Majeſty, I humbly recommend your Majeſty to God's holy Protection, and reſt,*

Your Majeſty's

Madrid, 21 Oct. 1623.

moſt humble, and faithful Subject and Servant,

BRISTOL.

Theſe Letters being read, the Lords adjourned, *ad Libitum*, to debate what they ſhould adviſe the King to do in this Buſineſs. And, becauſe his Majeſty had required to have the Advice of both Houſes, they thought it not fit to proceed further in it at that Time; but to have a Conference with the Commons, and to conſider, firſt, What to propoſe to them at their next Meeting.

February 28. The Affair was again reſumed relating to the *Match* with *Spain*, and the Recovery of the *Palatinate*; and though the Lords generally agreed, 'That they cannot adviſe about one without the other; and, alſo, that they had ſo far declared themſelves here, that it is not ſafe for the King to continue the Treaty on either, nor expect the Reſtitution of the *Palatinate*, by any other Means than the Sword; yet, their Lordſhips do ſtill think it not fit to deliver their ſingle Advice, but firſt to conſult the Commons; and when the two Houſes have agreed thereon, then to deliver the ſame jointly to his Majeſty.'

After which a long Debate aroſe, what to propoſe to the Commons; and, at laſt it was reſolved, That there was no Neceſſity to treat of the *Match* and the *Palatinate* together. Alſo, their Lordſhips were of Opinion, That his Majeſty rely not upon any further Treaties; except they ſhall hear from the Commons better Reaſons for it at the Conference. And a Committee was appointed, of which the Duke was the Chief, to ſearch for Precedents of former Treaties and Supplies to the King in Matters of this Kind. Alſo, the King's Servants were to bring them all ſuch Papers and Diſpatches, out of *Spain*, as they ſhould require.

March

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March 1. The Lords were put in Mind of their last Meſſage to the Commons, touching the Duke *of Buckingham*; and they thought good to explain themſelves, by another Meſſage, on their Reſolution to give the King Satisfaction that the Duke is cleared and acquitted, by them, of that which the *Spaniſh* Embaſſador complained of. Therefore, a Meſſage was ſent to the Lower Houſe, to expreſs their Lordſhips Doubt that their Meaning was not fully underſtood; for that they do think it moſt proper, as the *Narration* was made to both Houſes, ſo both to join, if they ſo pleaſe, in their Juſtification of it to his Majeſty. An. 21 James I. 1623.

After ſome Time, the Commons ſent an Anſwer to the Meſſage, That they were deſirous to confer with their Lordſhips about it, by a Committee of both Houſes; the Time and Place was left to their Lordſhips Option. The Lords appointed the *Painted-Chamber*, and the Time to be preſently. Accordingly, the ſame Day, the Archbiſhop of *Canterbury* made the following Report of this Conference to the whole Houſe.

'That they had conferred with the Commons, about this Complaint of the *Spaniſh* Ambaſſador againſt the Duke for his *Narration*; and that the Commons were ſo much of one Mind with them, as if both Houſes were Twins. That they highly approved of what the Duke had done; and that he delivered nothing in his ſaid *Narration*, but what he was led unto by the Matter itſelf; wherein his Grace was ſo far from tranſgreſſing, that he deſerved Thanks and Honour: That they were deſirous to join with their Lordſhips, by a Committee of their whole Houſe, to ſignify as much unto his Majeſty. And added, How ſenſible they were that any unworthy Perſon ſhould relate their Secrets abroad, and deſired that, whoever it was, he might be diſcovered, if poſſible (*m*).'

Both Houſes unanimouſly preſent to the King their Approbation of the Duke's Narrative.

In the further Proceedings of this Day, the Duke *of Buckingham* put the Lords in mind of the *Grand Affair*; and that a ſpeedy Reſolution was very

(*m*) See more of this in the 24th of this Month.

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An. 21 James I. 1623.

very neceſſary in it, becauſe Time was precious, which the Enemy would not pretermit; and, if they ſhould loſe the Benefit of the Spring, it would be irrecoverable: Therefore his Grace moved the Houſe, That a Committee ſhould be appointed to inſpect into the Stores of Munition, and to make ſuch Proviſion for a Supply thereof as they ſhould think fit. Accordingly, a Committee was then appointed, to take a View of the Magazines, Stores, Arms, and Munition; to conſider about the Tranſportation of Ordnance; of the Forts of the Land, and the Weakneſs thereof; of *Ireland*, and of all other Things incident to theſe; to preſent their Opinions to the Houſe of what Defects they find, and the Means to redreſs the ſame.

A Committee appointed to view the Stores, Arms, Munition, &c. of the Kingdom.

March 2. After an Adjournment of the Houſe, *ad Libitum*, the Attorney General read another Letter to the King from the Lord *Digby*, afterwards Earl of *Briſtol*, in theſe Words:

LORD DIGBY's LETTER to the KING.

Moſt Gracious Sovereign,

IT may pleaſe your Majeſty to remember, That, at my coming out of Spain, *I ſignified unto your Majeſty, how far the Duke of* Lerma *had, upon ſeveral Occaſions, intimated unto me an extraordinary Deſire of this King and State for not only an intimate Peace and Amity with your Majeſty, but to lay hold of all Means that might be offered, for the nearer Uniting of your Majeſties and your Crowns: And, from this Generality, he had deſcended often to have Diſcourſe with me of a Match with the Prince his Highneſs with the ſecond Daughter of* Spain, *aſſuring me, that, in this King and his Miniſters, there was a very forward Diſpoſition thereunto. But from me he received no other Anſwer, but to this Effect: That in the Treaty of the former Match for the late Prince, I had received ſo ſtrange and unexpected Anſwer from them, and that their Demands had ſeemed ſo improper and unworthy, that, I conceived, your Majeſty had little Reaſon to be induced again to give Ear to any ſuch Overture, or that I ſhould enter*

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ter again into any such Treaty, much less to be the Motioner thereof; although I would confess, that if I were fully persuaded of the Sincerity of their Intentions, and of a Possibility of having the said Match effected, I know not any Thing wherein I would more willingly employ my Endeavours; but, as the Case now stood, I was certain, that if I should but make any such Motion in England, I should but draw an Imputation of much Weakness upon myself, and no whit advance the Cause; for that your Majesty and your Ministers would make no other Construction of that Motion, but that it was only to abuse your Majesty, and to divert the Match of France, which was then treated of: For that your Majesty, who, but the Year before, had received so unpleasing and unequal an Answer, should now be persuaded that there was here so great a Change as that a Match was really desired, there would now need more than ordinary Assurance.------But the Duke of Lerma, continuing several Times in the same Profession, and telling me besides, That the greatest Case might be altered by Circumstances, and that the Age of this Prince was much more proper than that of his Brother, I freely let the Duke know, that in case I might be fully assured that such a Match was really desired here, and be able to propound unto my Master Conditions of so much Advantage, as might certainly put him and his Ministers out of doubt that this Overture was not again revived from hence, either for Diversion or winning of Time, I would then willingly intimate unto your Majesty the Inclination and Desire I found here, of having a Proposition for this Match once again set on foot. The Duke told me, That he would have further Conference with me; and that he no ways doubted but then to give such Satisfaction as might well assure both your Majesty and your Ministers, that they sincerely desired the Match in general, and would omit nothing on their Side for accommodating every Particular that might give Furtherance unto it. But, the very Night before the Duke had appointed a Meeting with me, there came a Post dispatched out of England from the Spanish Ambassador, upon An. 21 James I. 1623.

An. 21 James I. 1623. *upon the Arrival of Sir* Thomas Edmonds *in* England, *who brought Word that a Match with* France *was abſolutely concluded, and that within a few Days it was to be publiſhed; whereupon the Duke, at our Meeting the next Morning, told me that it would be needleſs now to deſcend to any Particulars in the Buſineſs whereof we were to treat; ſince they had now received Advertiſement that the Match with* France *was fully concluded. And thus far that preſent Matter reſted ſome five or ſix Weeks after, about which Time I was to go into* England; *and ſo taking Leave of the Duke, he aſked me, Whether I had not received Advertiſement that the Match with* France *was not publiſhed? I told him no, but that I had certainly heard, that it was not yet fully concluded: Whereupon he entreated me, that, in caſe I found not the* French *Match in ſuch Forwardneſs as it could not be ſtayed, I would let him know of it; and that if I ſhould ſee any kind of Poſſibility, that the Buſineſs we had ſpoke of might be ſet on foot, I would advertiſe him; and that thereupon he would proceed to thoſe Particulars, which he formerly intended for my Satisfaction.*

Herewith I acquainted your Majeſty, and finding that the Spaniſh *Ambaſſador in* England *had Notice from the Duke of our former Proceedings, and Order to further them by all poſſible Means he could, eſpecially if he ſhould underſtand that your Majeſty were not fully reſolved of the* French *Match; I thought it fit, by his Means, to let the Duke underſtand in what Eſtate I found this Buſineſs in* England; *and thereupon, with your Majeſty's Permiſſion, wrote a Letter to him to this Effect:*

'*That although it were true that the Match with* France *had been treated of with much Earneſtneſs on both Sides, and with great Likelihood of being concluded; yet there daily aroſe ſo many Difficulties and new Cauſes of Delay, that I judged it far from any perfect Concluſion; neither did I ſee Cauſe abſolutely to deſpair of the Buſineſs which ourſelves had intended, unleſs the Difficulties of the Conditions ſhould make it deſperate; but if theſe Things ſhould*

be

be expected by Spain, *which in the Treaty for the late Prince were demanded, it were better by much not to renew the Business; than by unfitting and unbecoming Propositions on either Side to give Distaste, or lessen the Friendship which now was betwixt your Majesties. And therefore I expected that, in* Spain, *they would be content with such Conditions as your Majesty might fittingly and conveniently yield unto, and all other Catholic Princes were willing to content themselves with; I neither saw Cause to hope for good Success, nor Reason to set the Treaty on foot; but in case that I might know that the Conditions, in Point of Religion, might be such as I should see a Possibility of your Majesty's condescending to them, I should be far from despairing of some good Effect; for that I know divers, not of the meanest nor least Power with your Majesty, were thereunto well inclined, and would give their helping Hands,* &c.' An. 21 James I. 1623.

Hereupon the Spanish *Ambassador dispatched his Secretary into* Spain, *and received Answer from the Duke, That he should give me all Assurance that there was here a great Desire and Inclination to the making of the Match; and that, at my Return into* Spain, *they no ways doubted but I should receive such Satisfaction as should make it appear, that, on their Part, there should be nothing wanting for the effecting of it.*

It remaineth that I now signify to your Majesty what hath passed herein, since my last coming to this Court.

I arrived here in Madrid *only a Day or two before their* Christmas, *and having, some six Days after, my Audience appointed by the King; whilst I was in a withdrawing Chamber expecting the King's coming forth, the Duke of* Lerma *came hither to bear me Company; and after many respectful Demands of your Majesty's, the Queen's, and Prince's Health, and some few Complements unto myself concerning my Welcome again to the Court, he fell to speak of the false Alarms we had in* England *concerning a* Spanish Armada; *seeming much displeased that any Credit should be given to any Thing so much*

An. 21 James I. 1623. *much to his Master's Dishonour and want of Fidelity, as he termed it; but your Majesty, he said, did never believe it: And, it seems, he had heard of some pleasant Answer your Majesty should make to some one of your Ministers, that in great Haste came to your Majesty when you were a Hunting, and told you that the* Spanish *Fleet was in the Sleeve: From this he entered into great Protestation of the Sincerity of this King's Affections and Intentions towards your Majesty; telling me, That I should now see how much they desired to work a greater Nearness and Uniting between your Majesties; and that particularly as to the principal Business (of which in former Time he had spoken, meaning the Marriage,) he would shortly speak with me, but it must be at more Leisure. I answered him, That I should not fail shortly to wait on him; and that he should find me answerable to the Professions I had made; which was, that, being induced thereunto by such sufficient and good Grounds as might satisfy any Master, both for the Conveniency and Fittingness of having such a Treaty to be set on foot, and likewise might take away all Objections of their Intent of entertaining and diverting your Majesty hereby, I would be as ready to do all good Offices, and give Furtherance to the Business, as any Minister the King of* Spain *had. And this was all that, at our first Meeting, passed in this Basiness.*

About some eight Days after, I having not all this Time stirred out of my House, under Colour of being indisposed, though the Truth was, indeed, to inform myself of some Particulars which concerned your Majesty's Service before I would speak with the Duke; he being, as I since understood, somewhat troubled, that, in all this Time, I made no Means to come unto him, one Morning, by Nine of the Clock, very privately, came to my House, without advertising of his coming (as the Custom is here) until his Coach staid at my Gate; and then he sent a Gentleman to me, telling me, That the Duke was there to speak with me. When I had conducted the Duke into a Room where we were private, he fell into the aforesaid Matter, and in the Manner as I shall here set

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set down unto your Majesty, without making any other Pretence as the Intent of his Coming, or without using, in the Space of an Hour, any Speech of any other Business. An. 21 James I. 1623.

After some few Questions of your Majesty and the Queen, he began to ask many Things of the Prince, as of his Age, his Stature, his Health, his Inclination, to what Sports he was chiefly given, and then suddenly, as it were with a passionate Expression of Affection, he desired God to bless him, and to make him the Means by which your Majesty might be conjoined in a nearer Alliance, and your Kingdoms in perpetual Amity; saying to me, That he was out of Doubt of my good Inclinations to this Business, both by what had formerly passed between us on this Subject, as likewise by my Proceedings in England, *whereof he had been fully informed by the* Spanish *Ambassador; and therefore he would, in a few Words, deal with me with much Freeness and Clearness, assuring himself he should receive the like Measure from me; and thereupon entered into a solemn Protestation, how much the King desired the Match; and, for himself, he solemnly swore there was no one Thing in the World he more desired to see before he died, than the effecting thereof: But, my Lord Ambassador, said he, you must deal as justly with me, to let me understand whether you conceive the like Desire to be in the King of* England *and his Ministers, and then I shall proceed to speak further unto you. I answered the Duke, That I ever esteemed more the Reputation of a Man of Truth and Integrity than of Skill and Subtilty; which, I did hope, he would well perceive by what I was to say; for that I was much more desirous fairly to go off from this Business, than easily to enter into it; and therefore if he would have me speak my Conscience, I did not conceive that, either in your Majesty, or any of your Ministers, there was any Kind of Inclination thereunto; for that they having formerly given so resolute and distasteful an Answer, your Majesty had just Cause never again to cast so much as your Thoughts this Way, and though it might be alledged, That the Fitness of the Prince's Years,*

An. 21 James I. 1623. *and other civil Regards, might cauſe new Reſolutions; yet the Differences of Religion were ſtill the ſame, and the ſame were the Tenets and Opinions of Divines in Matter of Conſcience; and therefore it could not but be a Thing of great Difficulty to perſuade your Majeſty and your Miniſters, that a Match ſhould be hearkened unto, much leſs deſired from hence, but upon the ſame Terms; the very Thought and Remembrance whereof is yet unpleaſing in* England: *So that, to deal plainly with him, I neither found, either in your Majeſty, or in the Council, any Kind of Thought or Imagination of any Poſſibility of having any ſuch Motion again; but this I found not to grow from any Diſlike or want of Affection in your Majeſty towards* Spain, *or that many of the greateſt or principalleſt Perſons in* England *judged not the Nearneſs and Alliance with* Spain *equally valuable with any other in* Chriſtendom; *but that, out of Diſtaſtefulneſs of the former Anſwers given from hence, all Expectations of any Buſineſs of this Nature were abſolutely extinguiſhed; and therefore again to revive it, there would need more than ordinary Endeavours, or ordinary Aſſiſtance: But as I knew this Match would neither want Well Willers nor Aſſiſters, and, for my own Part, I would freely make Profeſſion, that no Man more deſired it than myſelf, or would more willingly employ his Endeavours for the Furtherance thereof; when, by deſcending to Particulars, I ſhould ſee that both in regard to the Conditions and Aſſurance of ſincere Proceeding, the Motion was worthy and proper for a good Servant to offer it unto his Maſter; neither then ſhould I be wholly out of Hope of good Succeſs, though I could not but eſteem it a Buſineſs of infinite Difficulties.*

The Duke replied, That any Courſe I thought fit herein ſhould be condeſcended unto; for that all Time was loſt that was ſpent in Generalities; and therefore, if I ſo liked, he would move this King, that ſome one or two beſides himſelf might be appointed to have Conference with me; for that if he ſhould retain it in his own Hand only, it would, by reaſon of his many Occupations, have a ſlower Progreſs than he

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he wished; but if we would, by way of Conference, digest the Difficulties into Heads and Particulars, he would, as often as he could, be present at our Meetings; and, for his own Part, he said, he apprehended few Difficulties would arise but from Difference of Religion. An. 21 James I. 1623.

I told the Duke, That I very well approved of the descending into Particulars; neither should I refuse Conference with any herein whom the King should appoint to speak with me: But if his Meaning were, that these Persons should be nominated or joined by way of Commission, I thought fit to let him understand, that I neither had any Time, nor did I at the present speak of this Business either by Order or Direction; no, not so much as even by your Majesty's Privity: But as a Minister, that desired to lay hold on all Occasions for the encreasing of further Love and Nearness betwixt his Master and the Prince by whom he is employed; I should be glad, to the utmost of my Power, to advance and further this Cause; as that which I apprehended to be the greatest which the World now affordeth, for the firm uniting of your Majesties and your Estates.

The Duke told me, That this King would make no Scruple to declare his good Inclination and Desire to have the Match proceeded in; and that, for accommodating the Difficulties, he had already used divers Offices and Diligences with the Pope, *as likewise with the greatest Divines of this Kingdom, whereof he named some unto me, whom, he said, he found very well inclined to the Match. He told me also he would be glad they might speak with me, so then I might truly understand, by them, all Kind of Scruple that could be alledged. I answered, That I desired nothing more, and that I could not but approve of these Courses he prescribed, as the most probable to produce a good Effect; and that I hoped God would give a happy Success to the Business: But I should be bold in one Thing to deliver my Opinion, which was, no ways to interest our Masters herein, unless by the understanding and clearing the Difficulties on both Sides, there should be a great Appearance and Probability,*

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An. 21 Jame. I. 1623. *that the Buſineſs would take Effect; for if their Names ſhould be therein uſed, and afterwards the Treaty ſhould not be ſucceſsful, it would but exaſperate and breed a greater Diſtaſte betwixt your Majeſties. The Duke told me, He miſliked not my Opinion; tho' he ſaid, However the Buſineſs ſucceeded, yet you ſhould have Reaſon to accept kindly this King's good Intentions; for that, if it miſcarried, it ſhould appear not to be through their Default; but that they had ſtretched as far as Honour or Conſcience would give them leave.*

And thus much he ſaid I might write to your Majeſty, If I thought fit, or to my confident Friends in England, *his Word and Aſſurance; and ſo telling me, that he would preſently appoint thoſe that ſhould confer with me in this Buſineſs, we then parted.*

Within two Days after I went to the Duke, and, after I had ſpoken to him of the Buſineſs of Cleves, *according to my Inſtructions, whereof I gave an Account to Mr. Secretary, in a Diſpatch directed to him, we fell again into Speech of the Match.*

The Duke told me he had well conſidered of that which I had ſaid unto him, and much approved it, Not to intereſt our Maſters in the Buſineſs till we ſhould ſee ſome Likelyhood of good Succeſs.

And for that he ſuppoſed the Difference of Religion, like to prove the only Difficulty of Conſideration, he thought it fit that it ſhould firſt be cleared; and therefore he would break the Matter with the Cardinal of Toledo, *and the King's Confeſſor, and with them ſhould be joined another learned Man, one Father* Fredrick; *who, ſince I underſtand, is a* Jeſuit, *but truly hath the Report of a moderate Man. Theſe, the Duke ſaid, ſhould have Orders to confer with me, and Charge to go as far as might be, reſerving ſafe the Grounds and Sincerity of their Religion. I anſwered the Duke, That I was well ſatisfied herewith; and that if their Demands were ſuch as would content any other Catholic Prince, I ſhould hope of good Succeſs; if otherwiſe, I ſhould yet judge it an Happineſs to be put out of Doubt and Suſpenſe; and ſo we paſſed from this Subject.*

I pre-

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I presume to set down to your Majesty all the Pas- An. 21 James I. 1623.
sages of this Business, with so much Length and Fulness, (for that I no ways dare adventure to offer to your Majesty any Opinion or Belief of my own, either for the Fitness of the Match, or for the Sincerity of their Intention, or the Possibility of accommodating Differences in Religion) that your Majesty, seeing undisguisedly all that hath hitherto passed, with every Circumstance, may be pleased, out of the Consideration and Knowledge of these Particulars, to frame unto yourself such a Belief of their direct Meaning, and such a Resolution for the further proceeding herein, as shall be most suitable to your Majesty's Wisdom. Only I shall think it fit to set down further to your Majesty, the particular Ends which, it may be conceived, they aim at, by setting this Business on Foot at this present, in case they should not intend really to perform it. The first may be to divert and stagger your Majesty's Treaty with France. *The second, for the entertaining your Majesty with fair Hopes and Promises, thereby to keep you from declaring yourself opposite to them in the present Business of* Juliers *and* Cleves; *which is still remaining unsettled.*

But this being so, your Majesty may be pleased to understand, that though they may serve themselves with this Occasion, yet that there could not any such Thing be primarily in their Intention; for the expressing of their Desire to the Match was the last Year, long before these Differences happened.

Further, the Duke of Lerma *would be the most false and dishonourable Man living, without Christianity or Soul, if he would voluntarily so deeply damn himself with Oaths and Protestations of a Thing he sincerely meant not; and truly he would deal contrary to the Wisdom of his other Proceedings, wherein he layeth all Actions of Distaste or Discourtesy upon other inferior Ministers, labouring still to clear himself of the Imputation of them, if in this he should make himself the Author and Instrument of so indirect and unjust Proceedings between Princes: But the Course of most Security and Caution is, that your Majesty suffer none of your other Resolutions to*

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An. 21 James I. 1623.

be interrupted by this Overture; only, if your Majeſty be pleaſed for a while to entertain and ſuſpend the Concluſion of the Match with France, *I conceive it can be but little to your Majeſty's Diſadvantage.*

It, laſtly, now remaineth, that I become an humble Suitor to your Majeſty for your clear and full Directions in this Buſineſs; deſiring that, if your Majeſty will have it further entertained, I may have ample Inſtructions from your Majeſty; both that I may intimate what may be expected in point of Dowry, and in all other Things to be required by your Majeſty, as likewiſe how far I may proceed in ſatisfying them in point of Religion; for it is not to be ſuppoſed that they will proceed with that Freeneſs and Directneſs which is to be wiſhed for, unleſs, in a fitting Meaſure, they ſhall ſee me likewiſe able and willing to declare myſelf in ſuch Points wherein they may expect Satisfaction. I intend not hereby to move for a formal Commiſſion to treat, but only a private Inſtruction for my Direction and Warrant how to behave myſelf as may be moſt advantageous to the Cauſe and your Majeſty's Ends: So, humbly beſeeching your Majeſty to command this Bearer to be diſpatched back with all convenient Speed, I recommend your Majeſty to the holy Protection of God.

Madrid, Jan. 3. 1623.

Your Majeſty's
Faithful Subject
and Servant,
JO. DIGBY.

The Lords reſolve to adviſe the King to break off the Treaties with Spain.

After hearing the Contents of this Letter, the Lords began to deliberate on what ſhould be delivered to the Commons, at a Conference that Afternoon, concerning the *Grand Affair*. And it was agreed, that the Lord-Keeper ſhould begin with an Induction, out of the Duke's *Narration*; and then acquaint the Commons, That the Opinion of their Houſe was to adviſe the King, *ſuper totam Materiam, That his Majeſty cannot, with the Safety of his own Honour, or Conveniency of Religion and the State, proceed any further for the Treaty of the Prince's*

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Prince's Match, *nor rely any longer on that for the Recovery of the* Palatinate. An. 21 James I. 1623.

It was alſo agreed, that the Lord-Keeper ſhould deliver unto the Commons, by way of Supplement, firſt, concerning the *Treaty of Marriage*, That it appeared, by the Earl of *Briſtol's* Diſpatch, of *November* 3, 1624. That the firſt Motion of it came from *Spain*, *viz.* from the Duke of *Lerma* into *England*. 2. Concerning the *Treaty of Reſtitution*, That the King of *Spain* had promiſed Aſſiſtance, by Arms, in caſe a Mediation ſhould not prevail; though now he denied it again. This appeareth out of another Diſpatch from the Earl of *Briſtol*. 3. Concerning an heroic Saying of the Prince, 'That when it was noiſed he ſhould be detained a Priſoner in *Spain*, he ſent Word by *Grymes* to the King, *That in caſe News ſhould come hither of his Detention, his Majeſty would think no more on him as a Son; but reflect all his royal Thoughts on his Siſter, and the Wellfare of his own Eſtates and Kingdoms.*'

The reſt of this Day and the two following were chiefly taken up in the Conference between the two Houſes, about this *Grand Affair*, as the *Journals* call it: And, A Conference thereupon.

March 5. The Archbiſhop of *Canterbury* made a Report, briefly, of what had paſſed at it, and delivered in the Reaſons, in Writing, from the Commons, to fortify their Reſolutions to adviſe his Majeſty to proceed no farther in the *Treaties* with *Spain*: Which were theſe:

I. 'It is obſerved, That the State of *Spain*, not content with their ordinary Proviſions for the Exerciſe of the *Roman* Religion by the Infanta and her Family, which other Princes, in like Caſe, would have demanded, and which his Majeſty, with great Reaſon, might, at the Beginning of this Treaty, have conceived they would have been contented with, have, with great Vehemency, upon the Advantage of having the Prince's Perſon in their Poſſeſſion, preſſed a general Connivance for his Majeſty's Subjects of the *Roman* Religion, to the great Diſ- The Commons Reaſons for agreeing with the Lords therein.

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An. 21 James I. 1623. honour of Almighty God, in the Sincerity of his Service in this Realm; and to the apparent Diminution of his Majesty's Sovereignty, by establishing a necessary Dependence for Protection upon a foreign King and State; and to the great Derogation of the Laws of this Kingdom; and, lastly, to the Grief and Discouragement of all his Majesty's well-affected Subjects, from whose general Discontent they expected, as well appeareth, a Consequence of no small Mischief.'

II. 'It is observed, that during the Continuance of this Treaty, and by reason of the same, the Popish Faction have exceedingly increased in this Realm, both in Multitude and Boldness; and whereas, heretofore, they have been divided amongst themselves into the Party of Jesuits depending upon *Spain*, and the secular Priests; otherwise they are generally, now, strongly united together, depending no less upon *Spain* for temporal Respects, than from *Rome* for spiritual; which, considering the House of *Spain* hath been always a capital Enemy to our Religion, to encrease their own Greatness, by extirpating the Protestant Party in all Places where they can prevail, cannot but be of most dangerous Consequence to the Safety of the King and this Realm, unless Remedy be provided with Speed for abating that Party here at home; which cannot be during the Time these Treaties are on Foot.'

III. 'It is observed, that, by Advantage of these Treaties, and thereby keeping his Majesty in hope of general Peace, they have contrarily, under Pretence of assisting the Emperor, oppressed by the Protestant Party in most Part of *Christendom*, being the ancient Allies and Confederates of this Crown, to the endangering not only of the whole State of the Reformed Religion, but also against the common Safety of all the Professors of the same.'

IV. 'During the Time of these Treaties of Love with his Majesty, they have, with all Kind of Hostility, set upon his Majesty's Son-in-Law, the Husband of his only and most Royal Daughter; invaded his Towns and Territories in all Places; and, in

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in fine, disinherited him; with all that Royal Off- An. 21 James I. 1623.
spring, of all his ancient patrimonial Honours and Possessions; to the great Dishonour of his Majesty, and the extreme Grief of all his well-affected Subjects; and now also, at the last, when they should have come to make good the Hope of Restitution, they have laid new Grounds for endless Delays, and turned pretended Difficulties into apparent Impossibilities; not forbearing also to annex, as a Condition to the weak Hope of their uncertain and imperfect Restitution, that the eldest Son of the Count *Palatine* should be brought up in the Emperor's Court: So restless are their Desires to work the Overthrow of our Religion by all possible Devices.'

Lastly, 'It is too apparent how many Years, from Time to Time, they have deluded and abused his Majesty with their Treaties; how small Respect they have shewed to the Prince's Greatness and Worth; what Indignity they have offered, again and again, to his Highness, by importuning him, upon all Advantages, to forsake his Religion; contrary to the Custom of all Princes, and contrary to the ancient Laws of Honour and Hospitality; who ought to have been used there with princely Freedom, and pressed to nothing to which he was ill-disposed; considering withal, with what Confidence, being so great a Prince, he had put himself within their Power; although it pleased God so to guide and fortify his Princely Heart, that he constantly withstood all their Attempts and Machinations, to his own immortal Honour, and the unspeakable Comfort of all good People of his Father's Kingdom; whereunto may be added the infinite Advantageousness and endless Delays in their Treaties, inviting still to new Treaties, and turning all to the Advantage of their own particular Ends; being true to nothing but their own grounded Maxims, with which neither the *Match* nor *Restitution* of the *Palatinate* can possibly consist, but upon such Terms as threaten to our Estates an incurable Mischief; and, for a further Justification of

An. 21 James I. 1623. of the Charge of Insincerity in all their Proceedings, these Particulars ensuing, among many others, may be produced.'

'*First*, In that Treaty concerning Prince *Henry*; after many specious Motions on their Part, it was followed with disavowing their own Ambassadors, and a scornful Proposition to the King for that Prince's altering his Religion.'

'*Secondly*, In the Treaty of *Brussels*, wherein Sir *Richard Weston* was employed, he found nothing but Delays and Deceits; and, after divers peremptory Commands from *Spain*, for his Majesty's Satisfaction, they wrought no other Effect than the Siege and taking of *Heidelbergh*; so that he was forced to return with a Protestation.'

'*Thirdly*, When Baron *Bassot* came thither to continue their former Treaty, the first News we heard, was the Translation of the Electorate to the Duke of *Bavaria*; of which both the Baron and Don *Carlos* protested Ignorance, and that the King of *Spain* would let the World see how much he resented such an Affront; yet it plainly appeareth, by the Letter of the Count *d'Olivares*, given to the Prince, that the State of *Spain* both had Intelligence of it before, and expected it to be effected at that Diet.'

'*Fourthly*, When his Highness was in *Spain* the Count *d'Olivares* shewed him two Letters, by which it plainly appeared, that, till his Coming thither, there was nothing really intended; which they were not ashamed directly to avow to the Prince himself, and that after the Requital of so hazardous a Journey, and such an extraordinary Trust. When all Articles were again concluded, they found a new Shift, by a Junto of Divines, to let the Prince come home without the Lady; for whose Person his Highness had chiefly put himself to that Hazard.'

'*Lastly*, When upon his Highness's happy Return hither, we had just Cause to expect the utmost they would do in restoring the *Palatinate*; the faithful Promise of which was the only Cause that the

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the Prince yielded to that Junćto of Divines, the Deſponſaries being preſently to follow; the *Bergſtat* was to be delivered to the Elector of *Mentz*, being won by the King of *Spain's* Arms, and Part of it then in Poſſeſſion of his own Miniſters, contrary to an expreſs Article in the Treaty, concluded by Don *Carlos* and the Baron of *Baſcot*; wherein it was particularly provided that no Alteration was to be made in theſe Treaties, till the general Treaty was at an End.' An. 21 Jam. I. 1623.

Theſe Reaſons, with the conſequent Advice to the King annexed, being read, the Lords approved of them by a general Vote of the Houſe, *Nemine diſſentiente*; and a Committee of the Lords was appointed to join that of the other Houſe, in order to go and preſent them to his Majeſty.

March 8. The Archbiſhop of *Canterbury* reported to the Houſe, That, on the 6th Inſtant, the joint Committees of both Houſes waited on his Majeſty, at *Theobalds*; at which Time he delivered himſelf to the King as follows:

May it pleaſe your Moſt Excellent Majeſty,

'WE are come unto you, employed from your moſt faithful Subjects and Servants, the Lords and Commons aſſembled in this preſent Parliament. The Addreſs of both Houſes on that Occaſion.

'And, *firſt*, They and we do give moſt humble and hearty Thanks unto Almighty God; that, out of his gracious Goodneſs, he hath been pleaſed, now at laſt, to diſpel the Clouds and Miſts, which, for ſo many Years, have dimmed the Eyes of a great Part of *Chriſtendom*, in the Buſineſs whereof we do now conſult.

'And, *ſecondly*, We acknowledge ourſelves moſt bound unto your Majeſty; that you have been pleaſed to require the humble Advice of us your obedient Subjects, in a Caſe ſo important as this, which hitherto dependeth between your Majeſty and the King of *Spain*; which we jointly offer from both Houſes, *no one Perſon there diſſenting or diſagree-*

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An. 21 James I. 1623. ‘*disagreeing from the reſt.* And it is upon mature ‘Conſideration, and weighing many Particulars of ‘ſundry Natures, that, finding ſo much Want of ‘Sincerity in all their Proceedings, we, *ſuper totam* ‘*Materiam*, preſent this our humble Addreſs unto ‘your Majeſty; that the Treaties, both for the ‘*Marriage* and the *Palatinate*, cannot any longer ‘be continued with the Honour of your Majeſty, ‘the Safety of your People, the Welfare of your ‘Children and Poſterity, as alſo the Aſſurance of ‘your ancient Allies and Confederates.’

To this Speech from the Archbiſhop the King returned this immediate Anſwer:

The King's Answer.

My Lords and Gentlemen all,

I HAVE Cauſe firſt to thank God with all my Heart and all the Faculties of my Mind, that my Speech, which I delivered in Parliament, hath taken ſo good Effect amongſt you; as that, with an unanimous Conſent, you have freely and ſpeedily given me your Advice in this great Buſineſs; for which I alſo thank you all as heartily as I can.

I alſo give my particular Thanks to the Gentlemen of the Lower Houſe; for that I heard, when ſome would have caſt Jealouſies and Doubts between me and my People, they preſently quelled thoſe Motions; which otherwiſe might, indeed, have hindered the happy Agreement I hope to find in this Parliament. You give me your Advice to break off both the Treaties, as well concerning the Match *as the* Palatinate: *And now give me Leave, as an old King, to propound my Doubts, and hereafter to give you my Anſwer.*

Firſt, it is true, that I, who have been, all the Days of my Life, a peaceable King; and have had the Honour, in my Titles and Impreſſes, to be ſtiled Rex Pacificus, *ſhould be loth, without Neceſſity, to embroil myſelf with War; far from my Nature and from my Honour, which I have had at home and abroad, in endeavouring to avoid the Effuſion of Chriſtian Blood; of which too much hath been ſhed, and ſo much againſt my Heart: I ſay, that unleſs it be upon ſuch a Ne-*

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a Neceſſity, that I may call it, as ſome ſaid merrily of Women, Malum neceſſarium, I ſhould be loth to enter into it. And I muſt likewiſe acquaint you, that I have had no ſmall Hope given me of obtaining better Conditions for the Reſtitution of the Palatinate, and that even ſince the ſitting down of the Parliament: But be not jealous, nor think me ſuch a King, that would, under Pretence of aſking your Advice, put a Scorn upon you, by diſdaining and rejecting it: For you remember, that in my firſt Speech unto you, for Proof of my Love to my People, I craved your Advice in this great and weighty Affair; but, in a Matter of this Weight, I muſt firſt conſider how this Courſe may agree with my Conſcience and Honour; and next, according to the Parable uttered by our Saviour, after I have reſolved of the Neceſſity and Juſtneſs of the Cauſe, to conſider how I ſhall be enabled to raiſe Forces for this Purpoſe. An. 21 James I. 1623.

As concerning the Cauſe of my Children, I am now old; and, as Moſes ſaw the Land of Promiſe from an high Mountain, though he had not Leave to ſet his Foot on it; ſo it would be a great Comfort to me, that God would but ſo long prolong my Days, as if I might not ſee the Reſtitution, yet at leaſt I might be aſſured that it would be; that then I might, with old Simeon, ſay, Nunc dimittis Servum tuum, Domine, &c. Otherwiſe it would be a great Grief unto me, and I ſhould die with a heavy and diſcomforted Heart. I have often ſaid, and particularly in the laſt Parliament, and I ſhall ever be of that Mind, That as I am not ambitious of other Mens Goods or Lands, ſo I deſire not to enjoy a Furrow of Land in England, Scotland, or Ireland, without Reſtitution of the Palatinate: And in this Mind I will live and die.

But let me acquaint you a little with the Difficulties of this Cauſe. He is an unhappy Man that ſhall adviſe a King to War; and it is an unhappy Thing to ſeek that by Blood, which may be had by Peace. Beſides, I think your Intentions are not to engage me in War; but, withall, you will conſider how many Things are requiſite thereunto.

I omit

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An. 21 James I. 1623. *I omit to speak of my own Neceſſities, they are too well known. Sure I am, I have had the leaſt Help in Parliament of any King that ever reigned over you this many Years. I muſt let you know that my Diſabilities are increaſed by the Charge of my Son's Journey into* Spain; *which I was at for his Honour, and the Honour of this Nation: By ſending of Ambaſſadors, by maintaining of my Children, and by aſſiſting of the* Palatinate, *I have incurred a great Debt to the King of* Denmark, *which I am not able yet to pay.*

The Low Countries, *who, in regard of their Nearneſs, are fitteſt to help for the Recovery of the* Palatinate, *are at ſo low an Ebb, that, if I aſſiſt them not, they are ſcarce able to ſubſiſt. The Princes of* Germany, *that ſhould do me any Good, are all poor, weak, and diſheartened, and do expect Aſſiſtance from hence. For* Ireland, *I leave it to you, whether that be not a Back-Door to be ſecured. For the Navy, I thank God, it is in a better Caſe than ever it was, yet more muſt be done; and, before it can be prepared as it ought to be, it will require a new Charge, as well for its own Strength, as for the ſecuring of the Coaſts.*

My Children, I vow to God, eat no Bread but by my Means; I muſt maintain them, and not ſee them want. In the mean Time, my Cuſtoms are the beſt Part of my Revenues, and, in effect, the Subſtance of all I have to live on; all which are farmed out upon that Condition, That if there be a War, thoſe Bargains are to be diſannulled; which enforce a great Defalcation.

Subſidies aſk a great Time to bring them in: Now, if you aſſiſt me that Way, I muſt take them up beforehand upon Credit; which will eat up a great Part of them. This being my Caſe, to enter into War, without ſufficient Means to ſupport it, were to ſhew my Teeth, and do no more. In the mean Time, I heartily thank you for your Advice, and will ſeriouſly think upon it; as I pray you to conſider of thoſe other Parts.

My

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My Treasurer, to whose Office it appertains, shall more at large inform you of those Things that concern my Estate. Thus freely do I open my Heart unto you; and, having your Hearts, I cannot want your Helps; for it is the Heart that openeth the Purse, not the Purse the Heart. I will deal frankly with you; shew me the Means how I may do what you would have me, and if I take a Resolution, by your Advice, to enter into a War, then yourselves, by your own Deputies, shall have the disposing of the Money; I will not meddle with it, but you shall appoint your own Treasurers. I say not this with a Purpose to invite you to open your Purses, and then to slight you so much as not to follow your Counsel, nor engage you before I have engaged myself. Give me what you will for my own Means; but, I protest, none of the Monies which you shall give for those Uses, shall be issued but for those Ends, and by Men elected by yourselves. If, upon your Offer, I shall find the Means to make the War honourable and safe, and that I resolve to embrace your Advice; then I promise you, on the Word of a King, that although War and Peace be the peculiar Prerogatives of Kings, yet, as I have advised with you in the Treaties on which the War may ensue, so I will not treat nor accept of a Peace, without first acquainting you with it, and hearing your Advice; and therein go the proper Way of Parliament, in conferring and consulting with you; and, haply, the Conditions of Peace will be the better, when we be prepared for War, according to the old Proverb, that Weapons bode Peace.

An. 21 James I. 1623.

Your kind Carriage gives me much Content; and that comforts me, which my Lord of Canterbury *said,* That there was not a contrary Voice amongst you all; *like the* Seventy Interpreters, *who were led by the Breath of God. I am so desirous to forget all Rents in former Parliaments, that it shall not be in my Default, if I am not in Love with Parliaments, and call them often; and I desire to end my Life in that Intercourse between me and my People, for the making of good Laws, reforming of such Abuses as I cannot be well informed of but in Parliament, and maintaining*

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An. 21 James I. 1623. *ing the good Government of the Common-Wealth. Therefore go on chearfully, and adviſe of theſe Points, and my Reſolution ſhall then be declared.*

Several Bills had been now read by the Lords, and others ſent up by the Commons, that this great Council of the Land might not be wholly taken up with the *Spaniſh* Match and the Reſtitution of the *Palatinate:*

The Lords conſider the State of the Nation.

March 11. The Lords took into Conſideration the State of the Nation; which the Lord Treaſurer (*n*) firſt gave an Account of to the Houſe: Afterwards a Meſſage was agreed upon to be ſent to the Commons, to this Purpoſe:

'That, according to his Majeſty's Command, a Relation of his Eſtate had been made by the Lord Treaſurer unto them; and they imagine the like hath been done in their Houſe, by ſome Members of it there: Therefore, as this is like to be the Foundation of theſe Endeavours, which muſt firſt ariſe from them, leſt ſome Doubts ſhould be ſtarted in that Houſe, as there had been among the Lords, (which by all Means they do labour to avoid) their Lordſhips deſire a Meeting, with all convenient Speed; where the Prince will be pleaſed, in his own Perſon, to clear ſuch Doubts as have ariſen in this Buſineſs.' This was agreed to by the Commons; the Place, to be the *Painted Chamber*; the Time, immediately.

March 12. After the Reading of ſome public and private Bills, the Lord Preſident of the Council, the Viſcount *Mandevile*, reported to the Houſe what paſſed at the Conference, Yeſterday, with the Commons. He ſaid,

'That his Royal Highneſs's Speech was framed upon two Doubts; one ſtarted in that Houſe, and the ſecond propoſed by himſelf; and that he uſed an heroic Speech at the laſt. His Highneſs told them

(*n*) *Lionel Cranfield*, Earl of *Middleſex*, who was appointed Lord Treaſurer on the Removal of the Viſcount *Mandeville* to the Office of Lord Preſident: [See Vol. V. p. 476.] But how this Account was received, and the Conſequences thereof to himſelf, will appear in the Sequel.

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them, That the Lord Treaſurer had delivered to the Lords the preſent Neceſſity of the King's Eſtate. And a Doubt ariſing amongſt their Lordſhips, what the King's End might be in this, his Highneſs thought fit to give his own Senſe thereof; and, leſt the like Doubt might alſo have ariſen amongſt them, the Lords had commanded him, as his Highneſs was pleaſed to ſay, to declare thus much unto them: 'That the King did not intend, by that 'Declaration, that we ſhould preſently enter into 'Conſideration of relieving the King's Eſtate; 'but, to let us ſee and know, that he could not, of 'himſelf, and upon his Eſtate, maintain the War 'that might enſue upon our Advice; but intended 'that, in the firſt Place, we ſhould provide for the 'Defence and Safety of the Kingdom; and when 'we had reſolved upon that, then it ſhould appear 'a Thing of no great Difficulty to ſettle the King's 'Eſtate in his own due Time.' This was for the Reſolution of the firſt Doubt. An. 21 James I. 1623.

'Another Doubt his Highneſs moved of himſelf, That, it might be, ſome might fear and imagine, that, when theſe Things ſhall be ſettled, the King would be ſlow to call us together again. For this, his Highneſs urged them to call to Mind the latter Part of the King's laſt Anſwer, 'That it ſhould not 'be his Fault if he was not in Love with Parliaments; and that, having Occaſion lately to ſend 'unto the King, he found his Majeſty willing to 'call us often to meet in Parliament.'

'But three Things his Highneſs wiſhed us chiefly to conſider: *Firſt*, How far this Buſineſs was gone on already. *Secondly*, How far the Year was run on. And, *thirdly*, How far we have exaſperated thoſe whom we may conceive to be our Enemies. Three good *Items*.

'Therefore it was fit to uſe Expedition, and ſo to provide, that we might not only ſhew our Teeth, and do no more; but alſo be able to bite when there ſhall be Cauſe. Something more the Prince added, as follows; but this he told them, they muſt take

An. 21 James I. 1623. as ſpoken from himſelf: And certainly it was *Principe dignum*, a moſt heroic Speech.'

Gentlemen,

The Prince's Speech for a War with Spain.

I PRAY you think ſeriouſly of this Buſineſs; take it to Heart and conſider it. Firſt, my Father's Honour, next mine; and more particularly mine, becauſe it is my new Entering into the World. If, in this, ye ſhall fail me, ye ſhall not only diſhonour me, but bring Diſhonour upon yourſelves: But, if ye go on with Courage, and ſhew Alacrity and Readineſs in this Buſineſs, you ſhall ſo oblige me unto you now, that I will never forget it hereafter; and, when Time doth ſerve, ye ſhall find your Love and your Labour well beſtowed.

Which Report the Lord Preſident ended thus: 'This Concluſion did ſo take us, that we all prayed God to bleſs him, as we had juſt Cauſe to honour him.'

When the Lords had heard the Lord Preſident's Report, they received a Meſſage from the Commons to this Effect:

'That they had certain Information of great Sums of Gold to be tranſported beyond Seas, and as they conjectured, by the *Papiſts*: Wherefore they thought good to acquaint their Lordſhips, in whoſe Power it is to redreſs the ſame, that they may take ſuch Order therein as their Lordſhips think good.' The Lords anſwered, That they would immediately enquire about that Matter; and the Lord Preſident, the Duke of *Buckingham*, the Earl *Marſhal*, with the Earl of *Southampton*, were appointed a Committee for that Purpoſe.

The Commons reſolve to aſſiſt the King therein.

Soon after came another Meſſage from the Commons, importing, 'That the Knights, Citizens, and Burgeſſes having taken into mature Deliberation the King's Anſwer, given unto the Advice of both Houſes on *Friday* laſt, the 5th of *March*, they have reſolved, with great Alacrity and unanimous Conſent, to give his Majeſty Aſſiſtance: And, by reaſon of the Correſpondence between both Houſes, they

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they desire a Conference; the Number, Time, and Place, at their Lordships Appointment.' An. 21 James I. 1623.

In answer to this the Lords named, presently, a Committee of six from each Bench to attend this Conference, that Afternoon; and, because some Emergencies may happen, which will occasion the Advice of the House, they agreed to sit at the same Time. A Conference thereupon.

Post Meridiem. The Committee of Lords being returned from the Conference with the Commons, the Archbishop of *Canterbury* made the Report of it to the whole House, to this Effect:

'That the Committee of the Commons acquainted them, That they were first commanded to return the hearty Thanks of their whole House to the Prince for his Highness's Speech unto their Committee, at their last Meeting; wherein they took much Joy and Comfort; and to assure him, that they will be ever very tender of his Highness's Honour.'

'That they had concurred, with one unanimous Consent, to the Assistance of his Majesty, whensoever he shall be pleased to declare himself touching the breaking off the two Treaties with *Spain*.'

'That they had drawn up a Model of that which they intend to present to his Majesty; and, for good Correspondency, they had brought the same to be allowed of here, with such Amendments, in the Introduction only, as their Lordships should think fit.'

Then the Attorney-General read the Declaration; and the Lords gave their Consent to the Substance of it, by a general Vote of the House; but agreed to mend the same in the Introduction, because it was in the Name of the Commons only. This Addition the other Committee assented to; and, when it was all finished, it was agreed to be presented to the King, by a Committee of both Houses, at such Time as his Majesty would please to admit them to his Presence.

The *Journals* of the Commons are very defective in their first Account of this Session of Parliament,

An. 21 James I. 1623. ment, called *The Originals*; but this is supplied by a *ſubſequent Account*, much fuller than the other: And, as thoſe of the Lords are ſo prolix in the Trials, *&c.* now before them, we ſhall begin with the Commons at this Period, to avoid Repetitions.--What we find moſt remarkable in them is, that,

March 11. The Chancellor of the Exchequer reported ſome Particulars relating to the King's preſent Debts, occaſioned by ſome late Expences, and particularly the long and deceitful Treaties he had entered into, 'That, from the Year 1617, the King had expended 145,000 *l.* in Entertainment of Ambaſſadors ſent hither; Charge of the naval Expedition againſt the Pirates; on Ships for the Prince's Journey; Money taken up by the Prince in *Spain*, *&c.* That there was 80,000 *l.* due to the King of *Denmark*, with Intereſt. Towards all theſe ——————— Here is an *Hiatus* for what had been given towards it. And he next proceeds to acquaint the Houſe what Savings, in the public Expences, had been made; as, 'That, for *Ireland*, an Eſtabliſhment was begun there, both for Church and Common-Wealth; which, purſued, would ſubſiſt of itſelf: For the Navy, beſides the King's Timber, it coſt 50,000 *l.* a Year; reduced theſe laſt five Years to 30,000 *l.* and ten new Ships built, beſides many Houſes for Magazines: For the Forts, a Commiſſion was given this laſt Summer to two Perſons, who have made a Certificate of the Charge; which may be ſeen when the Houſe pleaſes.'

State of the King's Debates.

The next that ſpoke was Sir *Benjamin Rudyard*, who proved, in the ſucceeding Reign, a great Orator in the Houſe: he ſaid, 'That Want of Parliaments were the principal Means of the Growth of Grievances in the Common-Wealth: That the King's Propoſitions to us now, were, how to make good that Breach which we adviſe him to: To prepare for their own Security: To intreat the Lords to join with them in a Committee of a Council of War, to deviſe the fitteſt Means to ſecure *Ireland*, our Forts, fit out our Navy, and join with

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with the *Low Countries:* Alſo to preſent the King with ſome Relief for himſelf, to ſweeten him, beſides the Proviſion for War.' An. 21 James I. 1623.

There were many Speakers beſides, in theſe Affairs, all tending to adviſe the King to diſſolve the Treaties; and, at laſt, it was reſolved, upon the Queſtion, 'That, in purſuit of their Advice, upon his Majeſty's Declaration to break the Treaties, they would be ready to aſſiſt him, in a parliamentary Manner, with their Fortunes and Abilities.' This was carried without one Negative Voice: But the Reſult of all theſe Reſolutions will appear in the ſubſequent Proceedings of the Lords.

March 13. After ſome public and private Bills were read, his Royal Highneſs acquainted the Houſe, That his Majeſty was pleaſed the Committees of both Houſes ſhould attend him the next Day, at *Whitehall*, at Two in the Afternoon, in order to deliver their Declaration. And a Preamble to it being thought neceſſary by the Lords, the ſame was communicated, by Meſſage, to the Commons, and approved of by that Houſe. Accordingly,

March 14. The Archbiſhop of *Canterbury* (*n*), who had been appointed to deliver theſe Matters to the King, waited on him, at the Head of the Committee of both Houſes, and ſpoke as follows:

May it pleaſe your Sacred Majeſty,

'WE are come unto you again from your moſt faithful Subjects and loyal Servants, the Lords and Commons in this preſent Parliament aſſembled. And, firſt, we humbly let your Majeſty know how much we hold ourſelves bound to Almighty God, that he hath ſet a King to rule and reign over us, who is pleaſed, in the greateſt and weightieſt Cauſes, to ſpeak and be ſpoken unto in Parliament, by his good and lovin; People; which maketh a King to underſtand them over whom he beareth Rule, and them again to underſtand him. It is a true Bond that tieth

The Declaration of both Houſes to aſſiſt his Majeſty, upon his Diſſolving of the Treaties with Spain.

(*n*) *George Abbot.*

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An. 21 James I. 1623.

'tieth the Heart of a Sovereign to a Subject, and 'of a Subject, reciprocally, to their Liege Lord 'and Sovereign.

'Next, we rejoice that your Majesty has shewn 'yourself sensible of the Insincerity of that People, 'with whom, of late, you have had a double 'Treaty, and of the Indignities offered by them 'to your blessed Son, the Prince, and to your 'Royal Daughter; and that your Kingly Heart is 'filled with an earnest Desire to make Reparation 'to her noble Consort and herself of the *Palati-* 'nate, their Patrimonial Possession; which is agree- 'able to Justice, and unto all the Laws both of 'God and Man.

'For the effecting whereof, to testify with what 'Alacrity, and with what Expediteness and Uni- 'formity of Heart, both your Houses of Parlia- 'ment, in the Name of your whole Kingdom, 'have borne themselves unto your Majesty, with 'Offer to give you their real Assistance; we have 'digested it into Writing, lest, by the verbal or 'vocal Delivery of any one Person, it may mis- 'carry, or the Expression of our Zeal be weaken- 'ed and diminished; which we humbly pray your 'Majesty to give me Leave to read unto you.'

The Parliament's REMONSTRANCE or DECLARATION to the KING.

May it please your Most Excellent Majesty,

'WE your Majesty's most humble and loyal 'Subjects, the Lords and Commons in this 'present Parliament assembled, having lately re- 'ceived and taken into our Consideration your 'gracious and prudent Answer, given to the una- 'nimous and humble Advice, presented to your 'Majesty in the Name of both Houses, (That the 'two Treaties, one of the *Palatinate*, the other 'of the *Marriage*, might be dissolved,) do, in all 'Humbleness, render to your Majesty our most 'dutiful Thanks, that you have been pleased to 'take in so good Part the Manner of our Pro-

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'ceedings in that weighty Buſineſs; as, likewiſe, An. 21 James I.
'graciouſly to intimate your Royal Inclination not 1623.
'to reject that Counſel which yourſelf was pleaſed
'to aſk; and which, accordingly, hath been offer-
'ed to your Majeſty in the Name of both the
'Houſes.

'And whereas, in your princely Wiſdom, you
'made known to us, That your own Treaſure,
'by reaſon of your extraordinary Charge and Ex-
'pence at this Time, is ſo much exhauſted, that
'your Majeſty, by your own Means, cannot ſup-
'port a War, which, haply, may follow on the
'Breach of theſe Treaties: We do therefore, moſt
'humbly and earneſtly, beſeech your Majeſty,
'that neither that, nor any other Conſideration,
'may hinder your preſent Reſolution, for which
'you have our moſt chearful and univerſal Advice;
'and we do, with dutiful and zealous Affections,
'aſſure your Majeſty, and hereby manifeſt and de-
'clare, That in Purſuit of our Advice, upon your
'Reſolution made to diſſolve the ſaid Treaties,
'(the Deferring whereof may prove dangerous)
'we will be ready, in a Parliamentary Manner,
'with our Perſons and Abilities to aſſiſt you.'

Mr. *Ruſhworth* hath given us the *Archbiſhop's Preamble*, the *Parliament's Declaration*, and the *King's Anſwer* to them, at this Time (*o*); but how widely different from thoſe above, taken from the Lord's *Journals*, will appear to any who will give themſelves the Trouble to compare both. The *introductory Speech*, indeed, is pretty exact; but the *Declaration* in *Ruſhworth* is a quite different Thing; being the *Propoſition* which was made to the King, ſome Days after this, on his Anſwer to the *Declaration*; as the Reader will find in the Sequel. The *King's Anſwer* is likewiſe defective in many Places; whole Paragraphs being omitted, and others ſtrangely mutilated. Many more Miſtakes, of this Nature, will be found in

(*o*) Collect. Vol. I. p. 134, &c.

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An. 21 James I. 1623.

that Gentleman's *Collections*, in the Progress of these Enquiries.

It is to be noticed also, That his Royal Highness's Explanations of some Passages in his Father's Speech, were not made at the Time when the King spoke it; but when the Attorney-General was ordered to read it again to the Lords. Otherwise, as it stands in *Rushworth*, it looks as if the King had placed the Prince and the Duke at his Elbow, to explain his own Meaning to the Committees.---This has induced us to collate every *Speech*, *Remonstrance*, &c. in *his Collection*, with the *Journals*.---And, to prevent the Imputation of not doing Mr. *Rushworth* full Justice in this Affair, his *Omissions* are distinguished, by being printed between *Crotchets*; and where there are *Variations*, *only*, we have given the Text as it stands in the *Lords Journals*, and Mr. *Rushworth's* is added by way of Note.---A Caution highly necessary where the Care, or Integrity, of so celebrated a *Collector* is called in Question.———But to proceed.

To the foregoing *Remonstrance* his Majesty answered as follows:

The Report of the King's Answer.

My Lords and Gentlemen all,

I HAVE nothing to say to the Preamble of my Lord of Canterbury, *but that he intimated something in it which I* never spoke (*p*): *For whereas he said, 'I have shewed myself sensible of the Insincerity of those, 'with whom I had lately to deal, and of the Indignity 'offered to my Children:' In this you must give me Leave to tell you, that I have not expressed myself to be either sensible or insensible of their good or bad Dealing: Buckingham* hath made a Relation to you, by my Commandment, which you are to judge upon; but I never yet delivered my Mind upon it. When *Jupiter* speaks, he uses to join his Thunder to it; and a King should not speak, except he maintain it

(*p*) In *Rushworth* it runs thus, *cannot allow of.*

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it by Action (q.) *As for the Matter of their Declaration unto my Demands, which you have couched in that Paper, which I now heard read unto me, I confeſs, it is without Example, that any King hath had ſuch an Offer. And, with your Favour, I need fear nothing in this World, having ſo much the Hearts of my People. For the large Offer of Aſſiſtance, I hold it to be more than Millions of Subſidies; and, indeed, it is an ample Reward for the Truſt and Freedom which I have uſed with you.* An. 21 James I. 1623.

But, my Lords and Gentlemen, you muſt give me Leave, on the other Side, to conſider the Poſſibility of the Action: For, in this Caſe, I muſt do, as a Man that maketh a Fortification, which muſt have Out-Works and In-Works; ſo I muſt not deal only with my own People, but with my Neighbours and Allies, to aſſiſt me in ſo great a Buſineſs as the Recovery of the Palatinate. *And in this Caſe, it is not ſufficient to have the Hearts of my Subjects, without the Help of my Neighbours and Allies. On the other Side, unleſs particular Means be ſet down, it will neither be a Bridle to our Enemies, nor a Comfort to my Friends who ſhall join with me. General Words will not carry it; therefore I muſt reſort to particular Means, and follow the Counſel of our Saviour* Chriſt *in the Goſpel, before I begin a War, to ſee how I can maintain it. God knows it is a long ſome Work, yet I deſire with* Moſes, *as I ſaid before, but to ſee the Land of Promiſe, though I live not till it be recovered. But unleſs particular Means be diſcovered, it is little to the Point: Therefore, ſince you give me ſuch fair general Promiſes, I will deal freely with you, I will tell you, in particular, the Way I will propoſe, either by way of Subſidies or otherwiſe; which being done in Parliament, is a Parliamentary Way. I would require you to be pleaſed to beſtow upon me five Subſidies, and two Fifteenths to every Subſidy, for the War: And, for mine own Neceſſities, my crying Debts are ſo heavy,*

(q) *Ruſhworth* has it thus, *It was* Buckingham's *Relation to you which touched upon it; but it muſt not bar me, nor make* Jupiter *ſpeak that which* Jupiter *ſpeaks not; for when I ſpeak any ſuch Thing, I will ſpeak it with that Reaſon, and back it with that Power, which becomes a King.*

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An. 21 James I. 1623. *by, that no Man can bear them with a greater Grief of Heart, and Sting of Conscience, than I have done, and do: And I now growing old, would be glad to see a Means for the satisfying of my Debts before I go out of the World: And, for this End, I desire you would give me one Subsidy and two Fifteenths yearly, until my Debts be paid.*

Here the Prince his Highness taking Notice of an Objection made, that this might seem contradictory to that which his Highness had told the Committee of both Houses, That the King's Majesty would ask nothing for his own Particular till the Wars were provided for: The Prince said, That the Duke of *Buckingham*, in his Absence, hath moved this Doubt unto the King.

Whereupon the Duke affirmed, that, speaking with the King about it, his Majesty was pleased to say, If we would add one Subsidy, and two Fifteens to make it up six Subsidies and twelve Fifteens for the War, he was well content to quit that which he had asked for his own Necessities.

The King proceeded: *If this may be done, or that I may see a fair Way for it, I will follow your Advice; for I would never have asked your Advice to reject it, or to put a Scorn upon you. For the levying of these Subsidies and Fifteens, I would have you to consider how to clear these two Difficulties. If you levy them too suddenly, it may be heavy for the People; if you stay too long, it will not serve the Turn: But this I leave to your Consideration. And since I leave it to yourselves to receive the Money, and expend it by your own Committees of both Houses, you may be the more secure. And yet I would not have you to be too hasty in the levying of it, that no Extremity be shewed to my People by imposing too heavy a Burden upon them, which God forbid. On the other Side, the Business will not suffer too long lingering about it. I told you before, I had, in this great Business, to look to my Conscience and Honour, as well as to the Means: For the Means, I must have it from you; my Conscience and Honour is my own, of which I have thought,*

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thought, and do think daily, and how I shall be able to discharge them as a King ought to do. In this Point I am already resolved in a great Part; but, if any Scruple shall remain with me, I will acquaint you with it, and not only seek but follow your Advice (r). An. 21 James I. 1623.

Here again the Prince said, He had spoken with his Father, to know of him, whether he were satisfied in Honour and Conscience that he might in this Case undertake a War; and that his Majesty answered, He was already satisfied and resolved therein; but, for the Manner of publishing it, he would take your Advice.

Then the Duke of *Buckingham* said, The Reason why his Majesty used these Words, was, that having formerly spoken of his Honour and Conscience, if he should now have left them out, it might have been thought that Money only had drawn him to it. But the King said he was already satisfied and resolved, yet would have our Advice for the Manner of declaring it.

The King again proceeded. *I told you before, that this was the Way to make me in Love with Parliaments: And, to shew mine Inclination to continue them still, my Resolution is to make this a Session for the passing of as many good Laws, as, in convenient Time, may be prepared; and, at* Michaelmas, *or within a few Days after, to have a new Session, and another at the Spring. And, in the mean Time, you may go down and acquaint yourselves with the Grievances of my People, and you shall see my Care to make good Laws, and to reform Abuses; that so my Subjects may find the good Fruits of Parliaments, and rejoice in them: And, I protest, as I have asked your Advice in these Points, which I needed not to have done, so I will never enter into any Agreement or Treaty of Composition for Peace, which is the End of War (else it is unjust and unchristian) without your Advice: And I will help you myself, if we enter into a War, to make*

(r) In *Rushworth* it is, *Yet not without taking Help of your Advice, which I would never have moved, unless I had meant to follow it.*

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An. 21 James I. 1623. *make it allowable to the World, and honourable for me.*

Several Days paſſed after the laſt Date, without any Thing being done by the Lords, or ſent up by the Commons, worth our Notice (*s*), until,

March 22. When the Lords received a Meſſage from the Lower Houſe, importing, 'That, ſince they deſired all Expedition to be made in the great Buſineſs of the two Treaties, and had taken into Conſideration his Majeſty's laſt Anſwer, they have thought on a Propoſition to be made to him touching thoſe Affairs; wherefore they deſire a Conference with the Lords about it.'

This Conference was accepted by the Lords; and, when their Committee was returned from it, the Report was made by the Archbiſhop of *Canterbury*, That the Commons had delivered to them their Propoſitions in Writing, and had left a Blank for their Lordſhips to be named with them, if they thought fit. Then they were read to the Houſe, and the Queſtion being put, it was agreed, by all, only one Lord diſſenting, to fill up the Blank. But afterwards, the Lords taking Exception againſt one Clauſe about Religion, mentioned in the ſaid Propoſition, the Commons agreed to leave it out; but not without a Diviſion of their Houſe. The Propoſal from the two Houſes therefore, as it was delivered to the King by the Archbiſhop of *Canterbury*, was in theſe Words:

Moſt Gracious Sovereign,

The Parliament's Addreſs to his Majeſty upon voting a Supply.

'WE your Majeſty's moſt humble and loyal Subjects, the Lords and Commons in this preſent Parliament aſſembled, do firſt render to your moſt Sacred Majeſty our moſt dutiful Thanks, for that, to our unſpeakable Comfort, you have vouchſafed to expreſs yourſelf ſo well ſatisfied with our late Declaration made unto your Majeſty, of our general Reſolution, in Purſuit of

(*s*) From *March* 17 to *April* 21, the Commons *Journals* are deficient.

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of our humble Advice, to aſſiſt your Majeſty in a Parliamentary Way with our Perſons and Abilities. An. 21 James I. 1623.

'And whereas your Majeſty (in your great Wiſdom and Judgment, foreſeeing that it will make a deeper Impreſſion, both in the Enemies of that Cauſe, and in your Friends and Allies, if they ſhall not only hear of the chearful Offers, but alſo ſee the real Performance of your Subjects towards ſo great a Work) was graciouſly pleaſed to deſcend to a particular Propoſition, for the advancing of this great Buſineſs: We therefore, in all Humbleneſs, moſt ready and willing to give your Majeſty, and the whole World, an ample Teſtimony of our ſincere and dutiful Intentions herein, upon mature Advice and Deliberation, as well of the Weight and Importance of this great Affair, as of the preſent Eſtate of this your Kingdom (the Weal and Safety whereof is, in our Judgments, apparently threatened, if your Majeſty's Reſolution, for the diſſolving of the Treaties now in queſtion, be longer deferred; and that Proviſion for Defence of your Realm, and Aid of your Friends and Allies, be not ſeaſonably made) have, with a chearful Conſent of all the Commons, no one diſſenting, and with a full and chearful Conſent of the Lords, reſolved, That (upon your Majeſty's public Declaration for the Diſſolution and utter Diſcharge of both the ſaid Treaties, of the *Marriage* and of the *Palatinate*, in Purſuit of our Advice therein; and towards the Support of that War which is likely to enſue; and more particularly for thoſe four Points propoſed by your Majeſty, namely, for the Defence of this your Realm, the ſecuring of *Ireland*, the Aſſiſtance of your Neighbours, the States of the *United Provinces*, and other your Majeſty's Friends and Allies, and for the ſetting forth of your Royal Navy) we will grant for the preſent the greateſt Aid which was ever given in Parliament, [*to be levied in ſo ſhort a Time*,] that is to ſay, Three entire Subſidies, and

An. 2r James II. 1685.

'and three Fifteenths, to be all paid within the 'Compass of one whole Year after your Majesty 'shall be pleased to make the said Declaration; the 'Money to be paid into the Hands, and expended 'by the Direction of such Committees or Com- 'missioners, as hereafter shall be agreed upon at 'this present Session of Parliament.

'And so we most humbly beseech your Majes- 'ty [*graciously*] to accept of these First-Fruits of 'our hearty Oblation, dedicated to that Work, '(which we sincerely desire may prosper and be 'advanced) and for the future, to rest confi- 'dently assured, That [*if you shall be engaged in 'a real War*] we, your loyal and loving Subjects, 'will never fail, in a Parliamentary Way, to assist 'your Majesty in so Royal a Design; wherein 'your own Honour, and the Honour of your 'most noble Son, the Prince; the ancient Renown 'of this Nation; the Welfare, and very Subsist- 'ence of your noble and only Daughter, and her 'Consort, and their Posterity; the Safety of your 'own Kingdom and People; and the Prosperity of 'your Neighbours and Allies, are so deeply en- 'gaged.'

Thomas Morley and others punished for reflecting on the Lord Keeper.

March 23. One *Thomas Morley*, having presented a Petition to the House of Lords, highly reflecting on the Lord Keeper, for some indirect Practice against him in the *Star-Chamber*; and, afterward, printing and dispersing many Copies abroad: The said *Morley* was called before the House to answer the same; and, after a full Hearing of his Allegations, behaving himself very impudently at the Bar, he was, by general Consent, sentenced,

I. 'That the said *Thomas Morley* shall, for his great Offence, be imprisoned in the *Fleet* during the Pleasure of the House.'

II. 'That he shall undergo, to the King, a Fine of 10000*l*.

III. 'That he shall stand, with his Neck in the Pillory, in *Cheap*, with one of the said Petitions upon his Head, at Eleven in the Forenoon.'

IV. 'That

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VI. That he shall make his humble Submission and Acknowledgment of his Fault at the Bar, and also in Chancery, unto the Lord Keeper, the first Day of next Term.' An. 21 Jacobi 1623.

One *David Waterhouse*, who had penned the said Petition for *Morley*, was also fined 500 *l.* and imprisoned during Pleasure, &c. The Printer was likewise punished, but in a milder Manner.

March 24. The House of Lords went upon a further Justification of the Duke of *Buckingham*, against the Complaint of the *Spanish* Ambassador to the King. And there having been a Memorial presented to his Majesty, by both Houses of Parliament, concerning it, according to an Order of the 27th of *February* last, and the first of *March*, the Report of it was made to the House this Day, by the Lord Keeper, with the King's Answer to it, in Manner following:

May it please your Most Excellent Majesty,

'YOUR Majesty's most loyal Subjects, the Lords Spiritual and Temporal, the Knights, Citizens, and Burgesses, assembled at this Time, in both Houses of Parliament, being informed of a Complaint made to your Most Excellent Majesty, against the Lord Duke of *Buckingham*, That, in the Narrative, which, by your Majesty's Command, he made to both Houses, the 24th of *February* last past, he should let fall some Passages, grievous to the Honour of the King of *Spain*, and inferred to be of so high a Nature, as, if the like had been spoke by any Subject of that King against your Majesty, it would not have been otherwise expiated, than with the Loss of his Head that spoke it: Taking this into their serious Consideration, and conceiving that this Accusation doth, in an oblique Line, fasten an Aspersion upon themselves also, do, in all Submission and Humility, make to your Majesty a threefold Representation: *First*, Concerning that great King. *Secondly*, Concerning that eminent Lord. *Thirdly*, Concerning themselves. Both Houses present to the King a Memorial in Justification of the Duke of Buckingham.

'*First*,

An. 21 James I. 1623.

'*First*, Concerning that King, they do, with the 'unanimous Vote of both Houſes, abſolutely ac-'quit and clear the Lord Duke from letting fall 'any Words, at all, derogatory to the Honour of 'that King.

'For the *ſecond*, that concerns my Lord, they 'do, in the like Humility, atteſt unto your moſt 'Sacred Majeſty, That if my Lord the Duke had 'omitted any Matter repreſented unto them that 'Day, he had for ſo much failed in the Perform-'ance of that Duty and Fidelity which he oweth 'unto your Majeſty, to the Buſineſs, and unto 'both Houſes.

'For the *laſt*, which concerneth themſelves, 'they make bold, in like Humility, to repreſent 'unto your Majeſty, That they do much honour 'my Lord the Duke for that Narration, and do 'render unto him all poſſible Thanks for the Fi-'delity and Induſtry expreſſed therein; and ſo, 'without your further Trouble, do humbly beſeech 'your Moſt Excellent Majeſty to interpret fair of 'this their Repreſentation, which they held them-'ſelves bound to offer unto your Majeſty, for the 'clearing of ſo eminent a Perſon; who, as they 'verily believe, hath, in this Negotiation, well-de-'ſerved of your Majeſty and the Common-Wealth: 'So they heartily pray unto God long to preſerve 'your Moſt Excellent Majeſty.'

This ended, the Lord Keeper proceeded thus in his Report;

'Now, my Lords, concerning his Majeſty's Speech; it is not to be expreſſed or reported, be-cauſe it is a Speech of Affection as well as of Nar-ration, not poſſible to be uttered, but in the ſame Words it was delivered: Therefore, unleſs a Man had *Myron's* Art, *Qui Animos Hominum depinxiſſe dicitur*, who could paint to the Life the Souls and Affections of Men, he cannot do this as it ſhould be done; for, as *Livy* ſaid of *Cicero*, *Ad laudandum Ciceronem, altero Cicerone opus eſt*, there had need

to be another *Cicero* to undertake the commending of *Cicero*; ſo, ſurely, he ought to have as large a Heart as our gracious King, that will report his powerful and gracious Expreſſions.' An. 21 James I. 1623.

'I will therefore crave Pardon of the Houſe for delivering it in Writing, very near the Words and Syllables in which it was pronounced; and, firſt, to be read once or twice, if your Lordſhips pleaſe, to the Houſe, and then to be entered in the *Journal Book*, as a Record of no ſmall Comfort and Conſequence to the Public: For I may, without Flattery, which, for ought I know, I have been ever free from, declare, That ſuch Servants as theſe, *ſunt Inſtrumenta boni Sæculi*, are Tools and Inſtruments to carve out a brave and happy World to enſuing Poſterity, as *Symmachus* writes in one of his Epiſtles.'

This ſaid, the Lord Keeper read his Majeſty's Speech, out of a Paper, *in hæc Verba:*

My Lords and Gentlemen all,

His Majeſty's Anſwer thereto.

I MIGHT have Reaſon to ſpeak nothing in regard of the Perſon whereof you ſpeak, but, in regard of your Motion, it were not civil; for, if I be ſilent, I ſhall wrong neither myſelf, nor that Nobleman which you now ſpeak of, becauſe he is well known to be ſuch an one as ſtands in no Need of a Prolocutor, or Fidejuſſor, *to undertake for his Fidelity, or well carrying of his Buſineſs: And, indeed, to ſend a Man upon ſo great an Errand, whom I was not reſolved to truſt for the Carriage thereof, were a Fault in my Diſcretion ſcarce compatible to the Love and Truſt I bear him. It is an old and true Saying,* That he is a happy Man that ſerves a good Maſter; *and it is no leſs Truth,* That he is a happy Maſter that enjoys a faithful Servant.

The greateſt Fault, if it be a Fault, or at leaſtwiſe the greateſt Error, I hope he ſhall ever commit againſt me, was his deſiring this Juſtification from you, as if he ſhould have need of any Juſtification from others towards me; and that for theſe Reaſons:

An. 21 James I. 1623.

First, *Because he, being my Disciple and Scholar, may be assured I will trust his own Relation.*

Secondly, *Because he made the same Relation unto me, which he did afterwards unto both Houses; so as I was formerly acquainted both with the Matter and Manner thereof; and if I should not trust him in the Carriage, I was altogether unworthy of such a Servant. He hath no Interest of his own in the Business: He had ill Thoughts at home for his going thither with my Son, although it was my Command, as I told you before: And now he hath as little Thanks for his Relation on the other Part; yet he that serveth God and a good Master cannot miscarry for all this.*

I have noted in his Negotiation these three remarkable Things, Faith, Diligence, and Discretion; whereof my Son hath borne Record unto me; yet I cannot deny, but, as he thought to do good Service to his Master, he hath given ill Example to Ambassadors in Time to come, because he went this long Journey upon his own Charges. This would prove an ill Example, if many of my Ambassadors should take it for a Precedent. He ran his Head into the Yoke with the People here for undertaking the Journey, and when he there spent about forty or fifty thousand Pounds, never offered his Account, nor made any Demand for the same, or ever will. I hope other Ambassadors will do so no more. I am a good Master that never doubted of him; for I know him to be so good a Scholar of mine, that I say, without Vanity, he will not exceed his Master's Dictates; and I trust the Report not the worse he made, because it is approved by you all; yet I believe an honest Man as much as all the World, and the rather, because he was a Disciple of mine. I am glad he has so well satisfied you, and thank you very heartily for taking it in so good Part, as I find you have done.

When this Answer of the King's was also read to the House, and was ordered to be entered in the *Journals*, the Duke of *Buckingham* stood up, and gave unto the Lords his most hearty Thanks for

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the great Favour they had done him; and profes- An. 21 James I. 1623.
sed to their Lordships, 'That they had absolutely engaged him for the Time to come, to employ all the Power and Favour, which he had in his Majesty's Service, for the public Good of the Kingdom, and for the Service of every one of their Lordships, in particular, who should have occasion to make use of him. Concerning his Journey to *Spain*, it did not cost him so much as his Majesty was pleased to name; yet, whatsoever it was, he might very well expend it in his Majesty's Service, being but the Produce of his Bounty and Goodness towards him. And, if his Majesty should extend his Liberality to any one of his Ambassadors, in so large a Proportion, they would be very unthankful, if they did not do as much for him as he had done.'

The Duke of Buckingham's Thanks to the Lords for their Justification of him.

The Duke further declared, 'That it was his Majesty's Intent to send a present Dispatch into *Spain*, in order to break off the two Treaties of the *Match* and the *Palatinate*, as was required by Parliament, with the Reasons moving him thereto.'

The Lords no sooner heard this latter Part of the Duke's Speech, than they sent a Message to the Commons to desire an immediate Conference with them, in order to communicate this pleasing News to that House. And joyful News it was to all *England*, as well as to the Parliament. The City of *London*, *Rushworth* tells us, testified their Approbation of it by Bonfires, ringing of Bells, and other Demonstrations of Joy: But, as it is common in those Cases, for the Mob to exult too much, and carry their Zeal too far; so, in this, they exceeded their Bounds, as appears by the following Abstract from the *Journals*. The King had published a Declaration of this Breach with *Spain* the Day before, which occasioned the Rejoicings. And,

Public Rejoicings upon breaking off the Treaty with Spain.

This Day, the Duke of *Buckingham* signified to the Lords, 'That the People making Bonfires, Yesterday, for Joy of the King's Declaration, some of the Servants of the *Spanish* Ambassador looking out at them, were very uncivilly used.' Therefore

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An. 21 James I. 1623. his Grace moved their Lordships to take this into their Consideration, and redress the Wrong done to a foreign Ambassador.

The House approved well of the Duke's Motion, and agreed, That if they could, by strict Enquiry, which they intended to make, find out the Offenders therein, they would cause them to be punished, according to the King's late Proclamation, forbidding any Abuses to be offered to Ambassadors. And they further agreed to signify this to the Commons at the next Conference,

March 25. The Festival of *Easter* now drawing nigh, the Lords agreed to a Recess of Parliament till *Thursday*, *April* 1, in that Week. In the mean Time they appointed a Committee of their House, to assist the King's Secretaries, in that Vacancy, in drawing up a Manifesto of this great Affair; of which they also agreed to inform the Commons.

The same Day, a Committee of Lords being returned from a Conference with the Commons, the Lord President read the King's Declaration, which he made two Days before to a Committee of both the Houses; which was in these Words:

My Lords and Gentlemen,

The King's Declaration for that Purpose.

THE last Time I spake to you anent this great Business, I told you what, in my Opinion, was necessarily required for the beginning of it, the Reasons whereof you have truly set down out of my last Speech; wherein I shewed you what Good it would do, and what Harm it might free us from, to express particular Aids at this Time as well as general Promises. It is true, I must confess, that how far you declare yourselves, is sufficient for the present Enterance into the Business, though a great deal short of what I told you it would require. But, as God bears me Record, and, I think, the Hearts of all my loving Subjects will testify for me, I never did stick for Money, but only desired you to clear yourselves by Particulars, that I may see how I may be able to go thro' so great

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great a Matter, at leaſt to make a good Beginning of the War; for what the End will be, God knows. An. 21 James I. 1623.

So, on the other Part, I gave you Thanks for your general Offer, by which you did engage yourſelves, in your Lives and Eſtates, which is more than forty Subſidies, if you had named them, and more worth than a Kingdom; for the Strength of a King, next under the Protection of God, ſtands in the Hearts of his People. And I muſt needs ſay, in this Particular, it is without Example, that ever any Parliament, for a Beginning, gave to a King ſo great a Supply to be levied in ſo ſhort a Time. This may well ſerve for a Preparation: And, for my Part, firſt, conſidering your general Offer, (which is ten Times more to me than all Subſidies) and, next, conſidering that theſe Particulars, coming from you, be as much as at once you are able to pay in ſo ſhort a Time, being within a Year, and as much as may be well expected: Therefore, with as much Love, and as great Thanks, as a loving and kind King can give to ſo loving and dutiful People, I thank you for your Offer, and do accept it.

I told you before, that I would never have craved your Advice to reject it, and ſo put a Scorn upon you: Think me not that Man.

It is true, I think no wiſe King can undertake ſo great a Bargain, but he muſt well bethink himſelf before-hand: And I account it better that a King adviſe well before he take a Reſolution, than adviſe raſhly, and after repent. Therefore, my Lords and Gentlemen, I declare unto you, That as I am willing to follow your Advice in the annulling and Breach of the two Treaties, both of the Match *and of the* Palatinate; *ſo, on the other Part, I aſſure myſelf, you will make good what you have ſaid, That what you adviſe me unto, you will aſſiſt me in, with your Wiſdom, and Council, and Forces, if need require.*

I pray you have a charitable Opinion of me, as you are to have of a King who hath ſo long ruled and governed over you; and I may vaunt myſelf thus far to have done it with Juſtice and Peace: But, as I told you before, all my Forbearance hath been for

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An. 21 James I. 1623. *ſparing the Effuſion of Chriſtian Blood, and as the moſt eaſy and probable Way for recovering the* Palatinate *for my Children. It is true, I have been ſo long delayed and payed with Generals, that I dare not longer* truſt unto them; which made me enjoin *Buckingham* to make (t) *a particular Relation unto you of all that Buſineſs, (and I am ſure ſuch an Account was never before given in Parliament) that thereby you may know what to truſt to. I could, in this Caſe, have reſolved myſelf; but, I thought it could not but be both a Strength and Honour to me to have the Advice of my People.*

My Lords, in the late Parliament, I then declared it unto you, That I was reſolved, without Reſpect of Friendſhip, or Match, or whatſoever, to have the Palatinate *one Way or other. I hope you remember it.*

God is my Judge and Saviour I never had any other End, and it is Pity I ſhould live to have any other End; and, for my Part, except, by ſuch Means as God may put into my Hands, I may recover the Palatinate, *I could wiſh never to have been born. I am old, but mine only Son is young, and I will promiſe for myſelf and him both, that no Means ſhall be unuſed for the Recovery of it. And this I dare ſay, as old as I am, if it might do good to the Buſineſs, I would go in my own Perſon, and think my Labour and Travel well beſtowed, tho' I ſhould end my Days there: For if I ſhould ſpare any Means poſſible for the Recovery of it, then let me be thought not worthy to reign over you; and, in good Faith, I never reſolved to live with other Mind. And, I will ſay more, there was never any Enemy of my Son-in-Law, with whom I talk'd of that Buſineſs, or any that ever I ſpake with of the ſame, which did not ſay, and confeſs, I had Reaſon to have the* Palatinate, *one Way or other: And when they ſay that it is good Reaſon, and themſelves allowed it, it is a good Spur to me to think on it.*

My Lords and Gentlemen, thus far aſſure yourſelves, I will go chearfully about it, to prepare all Things

(t) In *Ruſhworth* thus: *Truſt unto that which made me err. The Duke of* Buckingham *made, &c.*

Things possible for it; and as you have given me the Means, so will I employ them toward it. An. 21 James I. 1623.

In the next Degree, I hope you will think of me; but that I leave to your own Counsel and Consideration: But, I protest to God, a Penny of this Money shall not be bestowed but upon this Work, and by your own Committees: And, I assure myself, you will think of me for a double Reason, my Customs are likely to fall, by Occasion of the War, and my Charges increase; but, undertaking the War, I must go thro' with it one Way or other, though I sell my Jewels and all.

In the next Session you will consider how this hath been husbanded, and, according to that, think what is next to be done; and it will spur you the more to enable me for the rest, whereof I speak to you before. I will clear you in some Things (for I will not deal with you in any thing but fairly and clearly as a King:) Though I have broken the Necks of three Parliaments, one after another, I hope that, in this Parliament, you shall be so resolved of the Sincerity of my Heart, and of your Duties and Affections, that this shall be a happy Parliament, and make me greater and happier than any King of England *ever was.*

In my last Speech I promised you, That I accepted your Offer, I would follow your Advice, and would not after hearken to any Treaty of Peace, without first acquainting you, and requiring your Advice; and I likewise promised nothing should be spent of your Monies but by your own Committees: But I desire you to understand, that I must have a faithful secret Council of War, that must not be ordered by a Multitude, (for so my Designs may be discovered beforehand) and one Penny of this Money shall not be bestowed but in Sight of your own Committees. But where I shall send twenty thousand Pounds, or ten thousand Pounds, whether by Sea or Land, East or West, by Diversion, or otherwise, by Invasion upon the Bavarian *or Emperor, you must leave that to your King.*

An. 21 James I. 1623. *Assure yourselves my Delay hitherto was upon Hope to have gotten it without a War. I held it by a Hair, hoping to have gotten it by a Treaty; but, since I see no Certainty that Way, I hope that God, who hath put it into your Hearts thus to advise me, and into my Heart to follow your Advice, will so bless it, that I shall clear my Reputation from Obloquy; and, in despight of the Devil and all his Instruments, shew that I never had but an honest Heart: And I desire that God would bless our Labours for the happy Restitution of my Children; and whosoever did the Wrong, I deserved better at their Hands.*

Which Declaration being ended, the House was adjourned, according to Order, to the first Day of *April*.

On that Day the Lords read several public and private Bills; after which the Duke of *Buckingham* informed the House, 'That he had been to take a View of the Navy, according to his Place of High Admiral. He told them likewise, That he had certain Information from abroad, that the King of *Spain* had then in Readiness a far greater and stronger Navy than that in 1588: That, at *Dunkirk*, he had already built 100 flat Bottoms: That they had taken many of our Men upon our own Shores, and out of our own Harbours: Therefore he moved, 'That since the two Houses had agreed to give a Supply to the Assistance of this great Business in Hand, tho' the Grant thereof be not yet passed into an Act, that the same may be so handled as to be useful; which will not be, if the Time be now neglected, or this Month and the next overslipped: Wherefore the Duke further moved, That a Meeting might be instantly prayed with the Commons to propose to them, that certain monied Men might be dealt with, to disburse such a Sum as was requisite for the present Use, the Repayment of which to be secured by Parliament, out of the Subsidies intended in the Grant, according to what had been heretofore done in the like Cases. Concluding, That he doubted not but some would

Account of the Preparations on the Part of Spain.

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would be found to disburse the same upon that Security.' An. 21 James I. 1623.

A Message was immediately dispatched to the Commons to inform them, That the Lords had a Business of Importance to communicate to them, and therefore desired a speedy Conference. Their Answer was, That they would attend their Lordships Pleasure.

The Lords desire a Conference in regard to the Supply.

The Duke of *Buckingham* acquainted the Lords, 'That the *Spanish* Ambassador, being lately at Court, his Majesty had declared to him the *Dissolution* of the *two Treaties*, and that he had sent a Dispatch into *Spain* concerning the same.' The Lords agreed, That these Matters be signified to the Commons at the intended Meeting.

The same Day, the Committee of Lords being returned from the Conference, the House received a Message from the Commons, importing, 'That they had taken the Proposition made to them, at the last Meeting, into serious Consideration; but, because many of their Members were not yet come to Town, and the Matter is of such Importance, they have deferred, for a Time, to come to a Resolution; but, as soon as possibly they could, they would attend their Lordships with their Answer.'

April 2. This Day the Archbishop of *Canterbury* reported to the House, That, in a Committee appointed to examine the Stores and Ammunitions of War, some Speeches had past, the Day before, which concerned the Honour of a *Lord of that House*; and that the said Lord desired Examinations might be taken, upon Oath, for the clearing thereof. Whereupon the House ordered, That a Sub-Committee should be constituted to take such Examinations, and the Witnesses to be sworn in Court. The Lords also ordered, That the following Officers of the Crown should be sent for, to be examined on Oath, relating to this Affair, *viz.* Sir *Edward Wardour*, Clerk of the Pells, Sir *Robert Pye*, Sir *Robert Mounson*, Sir *Thomas Dallison*, Sir *Richard Morrison*, Sir *John Keyes*, Sir *Arthur In-*

The Lord Treasurer's Conduct aspersed.

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An. 21 James I. 1623. *Ingram*, Sir *Thomas Cook*, Sir *Thomas Merris*, Clerk of the Ordnance, and Sir *John Male*.

April 3. After reading ſome Bills, the Lords received a Meſſage from the Commons to this Effect: 'That they deſired a Conference with their Lordſhips about a Petition they had drawn up to be preſented to his Majeſty, touching *Popiſh* Recuſants, to which they deſired the Concurrence of that Houſe.' Hereupon a Committee was appointed, and, being returned, the Petition was read to the whole Houſe; but their Lordſhips took Time to conſider of it, before they would come to any Reſolution about it.

The next Day this Buſineſs was reſumed; and, to the end the Lords might more freely debate the Matter, the Houſe was adjourned *ad Libitum*, the Lord Keeper removing to his due Place, on the Earls Bench: And the Preface to the Petition being again read, the Lords debated, Whether a ſhort Induction was not fitter to be uſed, that the Reaſons for the Petition might be a Part by itſelf, and not delivered at all, unleſs his Majeſty demanded the ſame, as was delivered in the Advice to the King, the 5th of *March* laſt, to diſſolve the two Treaties. The other Parts of the Petition being alſo read, it was debated, Whether any more was requiſite to be deſired of his Majeſty than the Execution of the Laws now in Force againſt Recuſants, leſt it ſhould be noiſed they were beginning a Perſecution; but they came to no Reſolution about it at this Time, only agreed to defer the further Conſideration of it till next Day. The Petition itſelf, as drawn up by the Commons, follows in theſe Words:

May it pleaſe your Moſt Excellent Majeſty,

The Commons propoſe a Petition againſt Recuſants.

'WE your Majeſty's moſt humble and loyal Subjects, the Lords and Commons in this preſent Parliament aſſembled, having, to our ſingular Comfort, received your princely Reſolution, upon our humble Petition, to diſſolve the

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'two Treaties of the *Match* and of the *Palatinate*; and having, on our Parts, with all Alacrity and 'Readiness, humbly offered our Assistance to your 'Majesty to maintain the War which may ensue 'thereupon; Yet, withal, sensibly finding what 'Seditions and traiterous Positions those Incendia-'ries of *Rome*, and professed Engines of *Spain*, the 'Priests and Jesuits, infuse into your natural-born 'Subjects; what Numbers they have seduced, and 'do daily seduce, to make their Dependence on the '*Pope* of *Rome* and King of *Spain*, contrary to their 'Allegiance to your Majesty their Liege Lord; 'what daily Resort of Priests and Jesuits into your 'Kingdoms; what Concourse of *Popish* Recusants, 'much more than usual, is now in and about the 'City of *London*; what Boldness, yea, what In-'solency they have discovered out of the Opinion 'conceived of their foreign Patronage; what pu-'blic Resort to Masses, and other Exercises of the '*Popish* Religion, in the Houses of foreign Ambas-'sadors there is daily, to the great Grief and Of-'fence of your good Subjects; what great Pre-'parations are made in *Spain*, fit for an Invasion, 'the Bent whereof is as probable to be upon some 'Part of your Majesty's Dominions as upon any 'other Place; what Encouragement that may be 'to your Enemies, and the Enemies of your 'Crown, to have a Party, or but the Opinion of 'a Party, within your Kingdoms, who daily in-'crease and combine themselves together for that 'Purpose; what disheartening of your good and 'loving Subjects, when they shall see more Cause 'of Fear from their false hearted Countrymen at 'home, than from their professed Adversaries a-'broad; what apparent Dangers, by God's Provi-'dence and your Majesty's Wisdom and Goodness, 'they have very lately escaped, which the longer 'Continuance upon these Treaties, upon such un-'fitting Conditions, fomented by your own ill-af-'fected Subjects, would surely have drawn upon 'your Majesty, and your State; do, in all Hum-'bleness,

An. 21 James I. 1623.

An. 21 James I. 1623. ‘ bleneſs, offer unto your Sacred Majeſty theſe ‘ their humble Petitions following:

I. ‘ That all Jeſuits and ſeminary Prieſts, and all ‘ others, having taken Orders by any Authority de- ‘ rived from the See of *Rome*, may, by your Ma- ‘ jeſty's Proclamation, be commanded forthwith ‘ to depart out of this Realm, and all other your ‘ Highneſs's Dominions; and neither they, nor ‘ any other, to return or come hither again, upon ‘ Peril of the ſevereſt Penalties of the Laws now ‘ in force againſt them; and that all your Majeſ- ‘ ty's Subjects may hereby alſo be admoniſhed not ‘ to receive, entertain, comfort, or conceal any of ‘ that viperous Brood, upon Penalties and Forfei- ‘ tures, which, by the Laws, may be impoſed upon ‘ them.

II. ‘ That your Majeſty would be pleaſed to give ‘ ſtreight and ſpeedy Charge to the Juſtices of Peace ‘ in all Parts of this Kingdom, that (according to the ‘ Laws in that Behalf made, and the Orders taken ‘ by your Majeſty's Privy Council heretofore for ‘ Policy of State) they do take from all *Popiſh* Re- ‘ cuſants, legally convicted, or juſtly ſuſpected, all ‘ ſuch Armour, Gunpowder, and Munition of ‘ any Kind, as any of them have either in their ‘ own Hands, or in the Hands of any other for ‘ them, and to ſee the ſame ſafely kept and diſpoſ- ‘ ed according to the Law, leaving for the neceſ- ‘ ſary Defence of their Houſe and Perſons, ſo ‘ much as by the Law is preſcribed.

III. ‘ That your Majeſty will pleaſe to com- ‘ mand all *Popiſh* Recuſants, and all others, who, ‘ by any Law or Statute, are prohibited to come ‘ to the King's Court, forthwith, under Pain of ‘ your heavy Diſpleaſure, and ſevere Execution of ‘ your Laws againſt them, to retire themſelves, ‘ their Wives, and Families, from or about *London*, ‘ to their ſeveral Dwellings, or Places, by your Laws ‘ appointed; and there to remain confined within ‘ five Miles of their Dwelling-Places, according ‘ to the Laws of this your Realm: And, for that

‘ Purpoſe,

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'Purpoſe, to diſcharge all by-paſt Licences granted unto them for their Repair thither; and that they preſume not any Time hereafter to repair to *London*, or within ten Miles of *London*, or to the King's Court, or to the Prince's Court wherefoever. An. 21 James I. 1623.

IV. 'That your Majeſty would forbid and reſtrain the great Reſort and Concourſe of your own Subjects, for the hearing of Maſs, or other Exerciſes of the *Romiſh* Religion, to the Houſes of foreign Ambaſſadors, or Agents, reſiding here, for the Service of their ſeveral Princes or States.

V. 'That where of late, in ſeveral Counties in this Realm, ſome have been truſted in Places of Lord Lieutenants, Deputy-Lieutenants, Commiſſioners of Oyer and Terminer, Juſtices of Peace, and Captains of their Country, which are either *Popiſh* Recuſants or Non-Communicants, by the Space of a Year laſt paſt, or which do not uſually reſort to the Church to divine Service, and can bring no good Certificate thereof; that your Majeſty would be pleaſed to diſcharge them from theſe Places of Truſt, by which they have that Power in the Country where they live, as is not fit to be put into the Hands of Perſons ſo affected.

VI. 'That your Majeſty would be pleaſed, generally, to put the Laws in due Execution, which are made, and ſtand in Force againſt *Popiſh* Recuſants; and that all your Judges, Juſtices, and Miniſters of Juſtice, to whoſe Care theſe Things are committed, may, by your Majeſty's Proclamation, be commanded to do their Duty therein.

VII. 'That, ſeeing we are thus happily delivered from that Danger which theſe Treaties, now diſſolved, and that Uſe which your ill-affected Subjects made thereof, would certainly have drawn upon us; and cannot but foreſee and fear leſt the like may hereafter happen, and inevitably bring ſuch Peril to your Majeſty's Kingdoms; we are moſt humble Suitors to your gracious Majeſty, to ſecure the Hearts of your good Subjects

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An. 21 James I. 1623.

by the Engagement of your Royal Word unto them, that, upon no Occasion of Marriage or Treaty, or other Request in that Behalf from any foreign Prince or State whatsoever, you will take off or slacken the Execution of your Laws against *Popish* Recusants.

'To which our humble Petitions, proceeding from our most loyal and dutiful Affections toward your Majesty, our Care of our Country's Good, and our confident Persuasion that this will much advance the Glory of Almighty God, the everlasting Honour of your Majesty, the Safety of your Kingdom, and the Encouragement of all your good Subjects, who do most humbly beseech your Majesty to vouchsafe a gracious Answer.'

Mr. *Rushworth* introduces this Petition, in his *Collections*, with the following Letter from King *James* to Secretary *Conway* about it (*u*).

The King's Letter on that Occasion.

I Doubt not but you have heard what a stinging Petition against the Papists, *the Lower House have sent to the Higher House this Day, that they might jointly present it unto me. Yet, know, my firm Resolution is not to make this a War of Religion; and, seeing I would be loth to be Cony-catched by my People, I pray stay the Post that is going to* Spain, *till I meet with my Son, who will be here To-morrow Morning. Do it upon Pretext of some more Letters ye are to send by him: And, if he should be gone, hasten after him to stay him upon some such Pretext. And let none living know of this as you love me. And, before Two*

(*u*) It is Pity this Letter is not dated; because then the Fact of *stopping the* Spanish *Dispatches*, mentioned in it, might have been fully ascertained by the Authority of the *Journals*. It appears by these, that the Duke of *Buckingham* had notified to the House of Lords the King's Declaration of the Breach with *Spain* to their Ambassador, and his having sent away the Dispatches, to that Court on the first of *April*, two Days before the Commons had desired a Conference with the Lords about their Petition. And though Mr. *Wilson* has dated it the third of *April*, yet neither of those Authors give us the least Intimation where they had the Copy of a Letter wrote with so great an Air of Secrecy and Trust.

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Two in the Afternoon To-morrow, you shall, without Fail, hear from me. Farewel. An. 2 James I. 1603.

JAMES R.

When the Lords had heard the above-mentioned Petition read a second Time, they dispatched Messengers to the Commons to inform them, That they had taken it into their Consideration, and did hope to be ready by the next Day, to send to them for a Conference.

It now appears who the Noble Lord was whose Conduct was objected to in Yesterday's Proceedings; for, some Orders being made this Day, relating to the Sittings of the Committee on Munitions, Stores, *&c.* we are told, by the *Journal*, the Lord Treasurer stood up and said, *That he would desire no Favour but Expedition; and, when they had done, his Lordship would shew a dangerous Plot, Conspiracy, and Combination against him; which, if it was suffered, no Man would be in Safety in his Place.* The Lord Treasurer complains of a Plot against him.

April 6. Some public and private Bills being read, the Archbishop of *Canterbury* reported from the Committee, on the Petition against Recusants, *&c.* That they had modelled another Petition out of the former, which the Commons desired might be presented to his Majesty, with a short Introduction: That their Lordships had thought fit to leave out the whole Preamble of the other, with the Reasons for the said Petition, and only to be delivered if the King should demand it. Agreed to send a Message to the Commons, That the Lords are ready to enter into a Conference with them presently, if it stand with their Convenience. Agreed also to inform the Commons, That this House hath not altered the Substance of the Petition from theirs, but only contracted the same; And altho' their Lordships have left out the Reasons in the Preamble, yet they think fit to have them in Readiness, if his Majesty require any.

But to make an End of this Business, because an Affair of a different Nature is coming on, which will

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An. 21 James I. 1624. will require a regular Progreſſion:---The Lords and Commons, after many Conferences about it, at length agreed upon the following Petition inſtead of the former:

May it pleaſe your Moſt Excellent Majeſty,

The joint Petition of both Houſes for Execution of the Laws againſt Jeſuits, &c.

'IT having pleaſed your Majeſty, upon our humble Suit and Advice, to diſſolve both the Treaties, to our great Joy and Comfort, we your Majeſty's moſt faithful and loyal Subjects, the Lords and Commons aſſembled in Parliament, do, in all Humbleneſs, offer to your Sacred Majeſty theſe two Petitions following:

'*Firſt*, That for the more Safety of your Realms, and better keeping of your Subjects in their due Obedience, and other important Reaſons of State, your Majeſty will be pleaſed, by ſome ſuch Courſe as your Majeſty ſhall think fit, to give preſent Order, That all the Laws be put in due Execution, that have been made, and do ſtand in Force againſt Jeſuits and ſeminary Prieſts, and all others that have taken Orders by Authority derived from the See of *Rome*, and generally againſt all *Popiſh* Recuſants; and as for diſarming them, that it may be according to the Laws, and according to former Acts and Directions of State in the like Caſe: And yet, that it may appear to all the World, the Favour and Clemency your Majeſty uſeth towards all your Subjects, of what Condition ſoever; and to the Intent the Jeſuits and Prieſts, now in the Realm, may not pretend to be ſurpriſed, that a ſpeedy and certain Day may be prefixed by your Majeſty's Proclamation, before which Day they ſhall depart out of your Realm, and all other your Highneſs's Dominions; and neither they nor any other, to return or come hither again, upon the ſevereſt Penalties of the Laws now in Force againſt them; and that all your Majeſty's Subjects may be thereby alſo admoniſhed not to receive, entertain, comfort, or conceal any of them, upon

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'the Penalties and Forfeitures which, by the Laws, An. 22 James I. 1624.
'may be impoſed upon them.

'*Secondly*, Seeing we are thus happily delivered 'from that Danger, which theſe Treaties, now 'diſſolved, and that Uſe which your ill-affected 'Subjects made thereof, would certainly have 'drawn upon us; and yet cannot but foreſee and 'fear leaſt the like may hereafter happen, which 'will inevitably bring ſuch Perils into your Majeſty's Kingdoms, we are moſt humble Suitors to 'your gracious Majeſty, to ſecure the Hearts of 'your good Subjects, by the Engagement of your 'Royal Word unto them, That, upon no Occaſion of Marriage, or Treaty, or other Requiſite 'in that Behalf, from any foreign Prince or State 'whatſoever, you will take away or ſlacken the 'Execution of your Laws againſt Jeſuits, Prieſts, 'and *Popiſh* Recuſants. To which our humble 'Petitions, proceeding from our moſt loyal and 'dutiful Affections towards your Majeſty, our 'Care of our Country's Good, and our own confident Perſuaſion that theſe will much advance 'the Glory of Almighty God, the everlaſting Honour of your Majeſty, the Safety of your Kingdoms, and the Encouragement of all your good 'Subjects, we do moſt humbly beſeech your Majeſty to vouchſafe a gracious Anſwer.'

This ſecond Petition was preſented to the King by a Committee of both Houſes, on the 23d of *April*; and, the next Day, the Lord Archbiſhop of *Canterbury* reported it to the Houſe of Lords; and that, after his Majeſty had heard the ſame read, he gave them the following moſt gracious Anſwer to it:

My Lords and Gentlemen,

Although I cannot but commend your Zeal in offering this Petition to me; yet, on the other Side, I cannot but hold myſelf unfortunate, that I ſhould be thought to need a Spur to do that which my Conſcience and Duty binds me unto. What Religion I am of my Books do declare, my Profeſſion and Behaviour The King's Anſwer.

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An. 22 James I. 1624. *doth ſhew; and, I hope in God, I ſhall never live to be thought otherwiſe; ſure I am I ſhall never deſerve it: And, for my Part, I wiſh it may be written in Marble, and remain to Poſterity as a Mark upon me, when I ſhall ſwerve from my Religion; for he that doth diſſemble with God is not to be truſted of Men.*

My Lords, for my Part, I proteſt before God, that my Heart hath bled when I have heard of the Increaſe of Popery: *God is my Judge, it hath been ſuch a great Grief to me, That it hath been as Thorns in my Eyes, and Pricks in my Sides; and ſo far I have been, and ſhall be from turning any other Way. And, my Lords and Gentlemen, you ſhall be my Confeſſors, that* if I knew one Way better than another to hinder the Growth of *Popery*, I would take it; for, knowing what I do, and being perſuaded what I am, I could not be an honeſt Man and do otherwiſe (*x*). *And this I may ſay further, That if I be not a Martyr, I am ſure I am a Confeſſor: And, in ſome Senſe, I may be called a Martyr, as, in Scripture,* Iſaac *was perſecuted by* Iſhmael *by mocking Words; for never King ſuffered more by ill Tongues than I have done, and, I am ſure, for no Cauſe; yet I have been far from Perſecution, for I have ever thought that no Way more encreaſed any Religion than Perſecution, according to that Saying,* Sanguis Martyrum eſt Semen Eccleſiæ.

Now, my Lords and Gentlemen, for your Petition, I will not only grant the Subſtance of what you crave, but add ſomewhat more of my own; for the two Treaties being already annulled, (as I have declared them to be) it neceſſarily follows of itſelf that which you deſire; and therefore it needs no more, but that I do declare, by Proclamation, (which I am ready to do) that all Jeſuits and Prieſts do depart by a Day; but it cannot be, as you deſire, by our Proclamation, to be out of all my Dominions; for a Proclamation here extends but to this Kingdom.

This

(*x*) In *Ruſhworth* it runs thus: *One Way or other it hath been my Deſire to hinder the Growth of* Popery; *and I could not be an honeſt Man, if I ſhould have done otherwiſe.*

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This I will do, and more; I will command all my Judges, when they go their Circuits, to keep the same Courses, for putting all the Laws in Execution against Recusants, as they were wont to do before these Treaties; for the Laws are still in Force, and were never dispensed with by me: God is my Judge, they were never so intended by me; but, as I told you in the Beginning of the Parliament, you must give me Leave, as a good Horseman, sometimes to use the Reins, and not always to use the Spurs: So now there needs nothing but my Declaration; and, for the disarming of them, that is already [provided for] *by the Laws, and shall be done as you desired: And more, I will take Order for the shameful Disorder of the resorting of my Subjects to all foreign Ambassadors; for this I will advise with my Council how it may be best reformed: It is true that the Houses of Ambassadors are privileged Places; and though they cannot take them out of their Houses; yet the Lord Mayor and Mr. Recorder of* London *may take some of them as they come from thence, and make them Examples. Another Point I will add concerning the Education of their Children; of which I have had a principal Care, as my Lord of* Canterbury, *and the Bishop of* Winchester, *and other Lords of my Council,* [and, indeed, all my Council] *can bear me witness, with whom I have advised about this Business; for, in good Faith, it is a Shame their Children should be bred here, as if they were* [brought up in *Madrid* or] *at* Rome: *So I do grant not only your Desire, but more. I am sorry I was not the first Mover of it to you; but had you not done it, I would have done it myself.* An. 22 James I. 1624.

Now, for the second Part of your Petition, you have here given me the best Advice in the World; for it is against the Rule of Wisdom that a King should suffer any of his Subjects to be holding and depending on any other Prince than himself; for what hath any King to do with the Laws and Subjects of another Kingdom (y)? *Therefore assure your-*

I 2 *selves,*

(y) In *Rushworth* it is; *Transgress the Laws by the Intercession of other Princes.*

An. 22 James I. 1624. *ſelves, that, by the Grace of God, I will be careful that no ſuch Conditions be foiſted in upon any other Treaty whatſoever; for it is fit my Subjects ſhould ſtand or fall by their own Laws.*

Proceedings againſt the Earl of Middleſex, Lord High Treaſurer.

April 8. We now begin with an Affair of a very extraordinary Nature, wherein one of the principal Officers of the Crown was charged with very high Crimes and Miſdemeanors; which Inſtance, with ſome foregoing, evidently ſhews, That no Man was then ſo great in himſelf, or ſo powerfully ſcreened by the Court, but a Parliamentary Enquiry would reach him. We ſhall make no Apology for the Length of this Trial, ſince the Rarity of it, and extraordinary Incidents in the Proceedings therein, muſt recommend it to the Public; eſpecially as neither *Wilſon* nor *Ruſhworth* have given us one ſingle Word of this Matter, nor any other Hiſtorian, excepting Sir *William Dugdale*, by a ſlight Note upon it in his *Baronage of* England.

The firſt Notice, the Lords received from the Commons, of this Buſineſs, was on the 8th of *April*, when they received a Meſſage from them to this Effect:

'That whereas they, Yeſterday, ſent to deſire a Conference with them, for the better accommodating the Bill of Monopolies, to be this Morning at nine, which their Houſe intended to have done accordingly; but, that now a great and weighty Affair, as ever yet came before them, intervening; and many of their Committee being employed in the Examination and Enquiry thereof, who were formerly appointed to attend their Lordſhips at this Conference; they humbly deſire to be ſpared at this Time, and they will attend at any other which their Lordſhips ſhall appoint.'

April 9. The Houſe of Lords being reminded of the Words uſed by the Lord Treaſurer, *April* 5. *of a dangerous Plot, Conſpiracy, and Combination againſt him*; and becauſe the Words were doubtful and generally ſpoken, his Lordſhip was required to name the Parties that had ſo combined and conſpired'

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ſpired againſt him; for, otherwiſe, an Imputation might reſt upon that Houſe; or ſome of the Members, there being, at that Time, a Committee on Munitions, *&c.* ſubſiſting, who had taken divers Examinations concerning his Lordſhip as Lord Treaſurer. An. 22 James I. 1624.

Whereupon his Lordſhip ſtood up and cleared the Houſe, abſolutely, from any Combination at all againſt him; and he further proteſted, at that Time, that he did not name or mean any Member of that Houſe; which Proteſtation he reiterated to them.

Nothing more occurs of this Matter till *April* the 12th; when a Meſſage came from the Commons to the Lords in order to put off the intended Conference again; becauſe they ſaid, That a Lord of that Houſe had deſired to be heard, by his Counſel, in theirs, in the Afternoon; which they had yielded to.

On this a Motion was made to conſider, that it might trench deep into their Privileges, for a Lord of that Houſe to anſwer an Accuſation in the Houſe of Commons, either by his Counſel, or by ſending his Anſwer in Writing. But, upon the humble Requeſt of the Lord Treaſurer, the Houſe gave him Leave to ſend his Anſwer to the Complaint of the Commons if he pleaſed. However, an Order was made, *That no Lord of that Houſe ſhall, hereafter, without Licence, anſwer any Complaint in the Houſe of Commons, either in Perſon or by his Counſel.*

Then the Archbiſhop of *Canterbury* reported to the Houſe, That a Committee being appointed to conſider of the Stores, Munitions, *&c.* ſomewhat had happened in their Examination thereof, which touched the Honour of the Lord Treaſurer. Whereupon the ſaid Lord deſired, that the utmoſt Truth thereof might be enquired into and examined. Accordingly Witneſſes had been ſworn here, and a Sub-Committee appointed to take their Examinations; which, being reduced into Writing, his Grace delivered to be read.

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An. 22 Jacobi I. 1624. But, before that was done, the Lord Keeper signified to the House, that he had received a Petition from Sir *Thomas Dallison*, delivered unto him by a Member of this House, who desired it might be read before the said Report. Which Petition was in these Words:

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The Humble Petition of Sir *Thomas Dallison*, Son of Sir *Roger Dallison*, Knt. and Bart. deceased.

WHEREAS there was an Examination, before a Committee of your Honours, concerning the Lands of his said Father, compounded for with my Lord-Treasurer; whereupon there is an Account given to your Lordships, by one Mayle, *a Scrivener, on his Lordship's Behalf, of* 26,000 *l. or thereabouts, to be given by the said Lord-Treasurer for the said Lands, as* Mayle *reported.*

Now, for that this Petitioner and his Mother were forced out of their Estate therein by his Lordship for a very small Matter, by colour of his Majesty's Extent; and is able to make appear to your Lordships that there hath not been much more than half the Sum of 26,000 *l. really, either in Money or Money's Worth, given for the same by his Lordship; and for that the said Lands are of far greater Value; and this Petitioner ought, in all Equity, to have the Benefit of compounding his Father's Debts, and the Benefit that should accrue by the Surplusage of the Estate:*

He most humbly desireth your Honours to stay the Report, and grant your Petitioner a Copy of the Account before the same pass from the Lords of the Committee; and that your Petitioner may be allowed to make such just Exceptions thereunto, as to the honourable Lords of the Committee shall seem reasonable. And he shall ever pray for your Honours, &c.

THOMAS DALLISON.

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A Motion was made, Whether, by the Orders of the House, the Lord-Treasurer may be present when the *Report* is read; because the same concerns his Honour? It was agreed, That he might be present, at the first Reading, but not when the same shall be debated by the House. An. 22 James I 1624.

Then the Attorney-General read the Report *in hæc Verba*;

The STATE *of the* BUSINESS *referred to the* SUB-COMMITTEE *for* MUNITIONS, *&c.*

ON the 28th of *May*, 6 *Jac.* 1608, a Privy-Seal was directed to the Lord Treasurer and Under-Treasurer of the Exchequer, for the Time being, for the issuing out such Sums of Money not exceeding 6000 *l. per Annum*, as by Quarter-Books should appear to be due to the Office of Ordnance, for Wages or Provisions.

'The Allowance was duely paid until the 1st of *April* 1614; but then, or shortly after, by the Default of Sir *Roger Dallison* and the Officers of the Exchequer, sundry Payments were unorderly made, whereby the Office was unfurnished; and *Dallison*, who had received those Moneys and not employed them as he ought, became indebted in great Arrears to his Majesty.'

'Upon Complaint whereof, in *November* 1617, his Majesty made a Reference to divers Lords of the Council; who, in *December* 1617, returned under their Hands a Proposition of Supply, estimated at 54,078 *l.* 8 *s.* 8 *d.*'

'In *February* 1619, his Majesty's Commission was awarded to the Commissioners for the Navy, whereof the now Lord-Treasurer was one of the chief, to survey the Office of Ordnance; And they, in *July* 1620, made a Return hereof to the Council, with their Opinions how the Magazines might be furnished with a present Supply of 13,640 *l.* 14 *s.* and 2 *d.* how the ordinary Allowance of 6000 *l. per Annum*, might be reduced to 3000 *l.* and how, by cutting off many unnecessary Charges, and

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An. 22 James I. 1624. other Means, his Majesty might have yearly near 10,000 *l.* And those Propositions made by them, in *Michaelmas* Term 1620, received Allowance from the Lords, and, at last, from his Majesty himself.'

'In *December* 1620, the Lord Viscount *Mandeville* became Treasurer; and, in *May* 1621, a Privy-Seal was drawn by the Officers of the Ordnance, for settling the said 3000 *l.* yearly, and for Payment of the said 13,640 *l.* 14 *s.* and 2 *d.* But the same, being considered of by the Commissioners of the Navy, was rejected, because it swerved from their Propositions; and so, the Lord *Mandeville* leaving the Treasurership about *Michaelmas* 1621, nothing was done. In *October* 1621, the Earl of *Middlesex* became Lord-Treasurer, and having continued in that Place two Years and six Months, in all that Time none of the three Establishments, *viz.* that of 6° *Jacobi* by the dormant Privy-Seal; that of 1617 by the Lords; nor that of the Commissioners of the Navy in 1620, have been observed; whereas, if that of the Commissioners of the Navy (being the least chargeable to his Majesty, and in which the Lord-Treasurer himself was principal Agent,) had been observed, it is conceived that the Stores had been in much better Case, and a Course had therein been settled to have retrenched a needless Charge of near 10,000 *l.* *per Annum*, as aforesaid.'

'And whereas, in *April* 1621, a Contract was made with Mr. *Evelyn*, to serve his Majesty yearly with 80 Lasts of Powder, at 7 *d.* *per* Pound; The Want of the Payment of about 500 *l.* a Month, hath deprived his Majesty of the Benefit of that Contract; which, for twelve Months of the Time since that Contract, hath been forborn for Want of Payment; which twenty Months Proportion, if it had been served in, there would have been in Store at this present above 260 Lasts of Powder, besides 60 Lasts of Salt-Petre, which would have made 80 Lasts of Powder more: But, by the Want of

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of due Payment, not only the Store is unfurniſhed of ſo conſiderable a Proportion; but his Majeſty, it is conceived further, hath loſt the Benefit of 3 *d.* in every Pound of 80 Laſts, which hath been ſold to the Subject, amounting to 4050 *l.* or thereabouts.' An. 22 James I. 1624.

'And whereas it was intimated, that the Lord Treaſurer hath made other Payments, leſs importing the Public, to the ſaid Office of Ordnance for old Arrears; which have a Dependency upon another Point referred to the Sub-Committees, touching the Lands and Debts of Sir *Roger Dalliſon*: It appears that 28 *July* 1621, which was about two Months before the Earl of *Middleſex* became Treaſurer, he made an Agreement with the Officers of the Ordnance for buying their Extent and Intereſt in the Lands of Sir *Roger Dalliſon* and Sir *Thomas Mounſon*, which they had by Aſſignment from his Majeſty, for a Debt of 13,062 *l.* and thereby his Lordſhip did agree, ſo ſoon as conveniently he might, to do his beſt Endeavour to procure from his Majeſty a certain Aſſignment and Order for the Payment of the Sum of 8000 *l.* to the Uſe of the Servants and Creditors of the Office of Ordnance, before the laſt Day of *November* next, for and towards the Payment and Clearing of all ſuch Sums of Money, as, by the Pay-Books of the ſaid Office, ſhould appear to be due unto them, over and above the ſaid Sum of 13,062 *l.* And his Lordſhip was, before the ſame laſt of *November*, to pay them 1062 *l.* and, at the Annunciation, in the Year 1623, 500 *l.* and afterwards, 500 *l.* half-yearly, till the 13,062 *l.* were paid: But his Lordſhip, before the prefixed laſt of *November*, becoming Lord Treaſurer, did not procure any ſuch Order or Aſſignment from his Majeſty; but, by Warrant of the firſt-mentioned dormant Privy-Seal of 6° *Jacobi*, did, in the firſt *Michaelmas* Term after he became Treaſurer, and the two Terms of *Eaſter* and *Michaelmas* following, (being all within a little more than a Year after his becoming Treaſurer) pay to them 9131 *l.* of Arrears due to the Office; and

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An. 22 James I. 1624. and hath, at other Times since, paid to them other Sums; which make up the former Payment of 19,034 *l.* 8 *s.* 11 *d.* whereof was paid since the Beginning of this Parliament 2480 *l.* 11 *s.* 2 *d.* And touching the Payment, which, by the aforesaid Agreement, his Lordship was to make unto them of his own Money, it appeareth that, upon a second Payment, those Payments due from him were discharged; and, in lieu thereof, his Lordship assigned to them his Part in the Petty-Farms of the Wines and Currants; which they estimated to be worth for the first two Years 1000 *l. per Annum*, and for seven Years after 1400 *l. per Annum*, and odd Pounds. It also appeareth, that about the same Time when he made the said Agreement with the Officers, he bargained with Sir *Thomas Mounson* for his Estate in *Dallison's* Lands; for which he agreed to give him 3000 *l.* in Money, the making of six Baronets, and some fit Suit from his Majesty when Sir *Thomas* could find it. This 3000 *l.* was duly paid by his Lordship; and then it was agreed that the Baronets were not to proceed, but, in lieu thereof, his Lordship gave way to a Suit, which Sir *Thomas* made to his Majesty, for the Benefit of compounding with the Copy-holders of *Wakefield*, for reducing their Fines to a Certainty; which his Lordship did estimate at 2000 *l.* and promised him further Recompence; yet Sir *Thomas Mounson* affirms, He had neither Benefit thereby, nor further Recompence. In this Bargain, nevertheless, there are some Things favourable for the Lord-Treasurer, especially two. *First*, That, by this Bargain, his Majesty is freed from all future Demands from the Officers of the Ordnance, concerning the Debt of 13,062 *l.* owing by *Dallison*; which his Majesty, upon the assigning those Extents, had covenanted to satisfy, in case the Incumberances should hinder them of Satisfaction; and this appeareth to be true. *Secondly*, Some Intimation hath been, that this Bargain was no Bargain of Advantage, but of Loss to the Lord-Treasurer; and there-

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ſame not probable that he ſhould have undertaken, put for his Majeſty's Service, and the Good of the Office. And touching this Point, it appears, by the good Teſtimony of Sir *Thomas Dalliſon*, that, before the Troubles of his Father, the Lands and Leaſes being of about ſixty Years to come, bought by the Lord Treaſurer, were rented at 1500 *l. per Annum*, or thereabouts; whereof the Leaſe-Lands are about 300 *l. per Annum*: And that, beſides the Recompence given to the Officers of Ordnance and Sir *Thomas Mounſon*, there is allow'd to him and his Mother for clearing their Intereſts, 200 *l. per Annum* for their Lives: But Sir *Arthur Ingram* offereth to lett the whole, for forty or fifty Years, or any other reaſonable Time, at 1100 *l. per Annum*. And it appears, by the Teſtimony of him and Mr. *Moyle*, that the Lands were incumbered with an Annuity of 200 *l. per Annum* to Mr. *Beddingfield* for Life; for which, and the Arrears, about 1200 *l.* hath been given, by way of Computation; and with 140 *l.* to Mr. *Smith* for Life, for which, and the Arrears, hath been given, by way of Compoſition, about the Value of 800 *l.* and with an Aſſurance, on the Part of Sir *Richard Smith* and Sir *John Davy*, for which is to be given 3000 *l.* beſides many other Incumbrances not yet brought in. But the Certainty thereof appears not, nor that any of them, of any conſiderable Value, are precedent to Sir *Roger Dalliſon's* becoming Officer.'

This *Report* being read, the Lord Treaſurer put the Houſe in mind of the Imputation laid on him by Sir *Robert Pye*, ſome Time ſince, touching the Extent of Sir *Roger Dalliſon's* Lands; and that therein they had deſired Witneſſes to be ſworn and examined, and he hoped he had fully ſatisfied their Lordſhips in that Cauſe. But, as for any other Matter relating to the Ordnance, Munitions, &c. they never came into his Thoughts, as yet, what Anſwer to make; wherefore he deſired he might have a Copy thereof, in Writing, with Liberty to examine

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An. 22 James I. 1624. mine his Witneſſes, and he would anſwer the ſame fully in Writing. He alſo deſired that his Actions might not be examined by Pieces, but totally and together; and then he doubted not but that his Care, touching the Store for Munitions, &c. would appear to be ſuch that their Lordſhips will clear his Honour therein. This being ſaid, the Lord Treaſurer left the Houſe whilſt the Matter of the Report was in Debate.

After ſome Time ſpent therein, it was agreed, That another Committee ſhould be appointed to draw up the Heads of a Charge againſt the Lord Treaſurer, out of a Brief of the laſt *Report*, and *Examinations* taken by the former Committee.

Nothing was done by the Lords (except reading and paſſing ſeveral Bills, of no Conſequence to theſe Enquiries) until the 15th; when a Meſſage was brought from the Houſe of Commons by the Lord *Cavendiſh*, and others, to this Effect:

'That whereas they had received divers and ſundry Complaints againſt a Member of that Houſe, which are of high and grievous Nature, they deſire a Conference thereon to impart the ſame to their Lordſhips.' This was agreed to by the Lords; the Place, the Great Hall at *Whitehall*; and the Time, at Three that Afternoon.

April 16. The Lord Keeper, according to Order, reported the ſaid Conference held the Day before at *Whitehall*, between the two Houſes, in this Manner:

Report of a Conference between both Houſes on a Complaint againſt the Lord Treaſurer.

At this Conference Sir *Edward Coke*, on the Behalf of the Commons, ſhewed, 'That the Knights, Citizens and Burgeſſes, aſſembled in Parliament, are always elected, the Knights by the Counties, the Citizens by the Cities, and the Burgeſſes by the Burroughs of this Kingdom: That your Highneſs and my Lords do enjoy their Places by Blood and Deſcent; ſome of your Lordſhips by Creation, and the Lords Eccleſiaſtical by Succeſſion; but the Members of the Houſe of Commons by free Election: They appear for Multitudes, and bind Multitudes, and therefore they have no Proxies;

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Proxies; for all the People are preſent in Parliament by Perſons repreſentative; and therefore, by the Wiſdom of the State, and by Parliament Orders, the Commons are appointed the Inquiſitors General of the Grievances of the Kingdom; and that for three Cauſes.' An. 22 James I. 1624.

'1. Becauſe they have beſt Notice from all Parts thereof.'

'2. They are moſt ſenſible it is not your Lordſhips, but the weakeſt Commons that go to the Walls.'

'3. As, in a natural Body, not the Diſeaſe, but the Neglect of Cure killeth; *Non Morbus, ſed Morbi neglecta Curatio interficit*; ſo the long Delay of Grievances, *Corpus Politicum interficit*; and this would happen if they were not found out by the Commons.'

'In their Inquiſition they met with, what they ſcarce ever found before, many great Exorbitancies and heinous Offences, againſt a Member of this Houſe, the Earl of *Middleſex*, the Lord Treaſurer; and they found him guilty after a ſtrange Manner; for, in all their Houſe, not one Man ſaid *No*, but concluded againſt him *Nemine contradicente*.'

That Sir *Edward Coke* ſaid further, 'The Houſe had appointed him to preſent three Enormities to their Lordſhips, much againſt his Mind; others being far more ſufficient, as well in regard of his great Years, as of other Accidents; yet, he ſaid, he would do it truly, plainly, and ſhortly.'

'There were two great Offences in general, which they had diſtributed into two Parts; one of which ſhould be repreſented by him, and the other by his Colleague. That which he ſhould ſpeak to was to conſiſt of two Charges.'

'The *firſt*, Groſs and ſordid Bribery. The *ſecond*, For procuring the good Orders of the Court of Wards to be altered: For that this was done by his principal Procurement, to the Deceit of the King, Oppreſſion of the Subject, and the Enriching of his own Servants. He would begin with preſenting to their Lordſhips the Bribery. Here he

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Ann. 21 James I. 1623. he craved Favour if he should seem long in touching some Circumstances; for Circumstances to Things (he said) were like Shadows to Pictures, to set them out in fuller Representations; but herein he promised to observe *Tempus Temporis*.

The first Part of the Charge against him opened by Sir Edward Coke.

BY the Lord Treasurer's Privity (for it concerned his Skill properly which was Merchandize) a Lease of the Subsidy and Impost of the *French* Wines, was lett to the Farmers of the Petty Farm, *Anno* 17 *Jac.* at 44,000 *l.* yearly Rent; and for 50,000 *l.* Fine; with a Covenant from the King, that no more Impost should be laid during their Lease; because that they know that the Impost would overthrow their Trade.

'Yet the Farmers were not content with this Covenant for their Money and their Trade, (for Money is their Plow, and Trade their Life) they desire the Addition of the King's Word for this Covenant. Accordingly they had Access to the King, and the Covenant was confirmed and repeated by him, *Verbo Regio*, in the Presence of the Lord Treasurer. Then they thought themselves *in Tuto*, and that they did *in Portu navigare*, free from all Storms and Tempests.'

'But behold, *Anno* 1621, the first Thing my Lord did in his Office, was the laying of an extreme Impost of 3 *l. per* Ton upon the *French* Wines; which the King, by reason of his Covenant, could not, and, by reason of his Word, would not surely do.'

'This Imposition was against Justice, the Covenant, and the Honour of the King. The King, surely, had he been rightly informed, would never have done it.'

'Upon this the Trade sank, and they became Suitors to his Lordship for Relief, for ten Months together; but with no Success.'

'In *Michaelmas*, 1622, they petitioned his Lordship, that the Trade was overburdened, and themselves quite undone. It is a Rule, that a Commodity overburdened enricheth not the King, but quite

quite destroyeth the Trade; but hereof they have no Success.' An. 22 James I. 1624.

'Then they prefer a Bill of Right against the King in the Exchequer, because of the Breach of Covenant: But to this they could obtain no Answer in *Michaelmas* Term. The King's Attorney knew well enough of the Bill, but could not for his Heart devise an Answer for it.'

'In *December* 22, 1622, the Term is out, they are out of their Money, and the Trade is gone. They appeal, therefore, to the Fountain of Justice, the King's Majesty. The King is very gracious to them, and said, *God forbid that any Man should lose by him. He knewn othing of this. It was the Lord Treasurer's Act and Device.* And so his Majesty allowed them a Deduction of 9500 *l.* to be made to them in nine Years Time. Well, *Verba sunt hæc*; these were but good and gracious Words, but filled not their Purses: They must have a Warrant from the Lord Treasurer to put this Favour of the King's into a public Act; and this they could not obtain from *December* to the End of *June*. The Men understand themselves very well, and look about them how this Stay comes: One of them tells another, The Business sticks, my Lord looks for somewhat: And the Man was in the right, for so the Sequel proved.'

'Five hundred Pounds Bribe was paid to *Jacob* for my Lord's Use, and straightway all was well; the Warrant went current, and all was passing well.'

'One Thing remarkable: This was taken out of the Petty Farms, set down in their monthly and yearly Books, and called a Gratuity *speciosaque Nomina Culpæ*. Some great Space after this, there was a Voice of a Parliament (Oh! said Sir *Edward*, Parliaments work wonderful Things.) Then the Lord Treasurer began to cast a Circle, and fall to his conjuring. He calls upon *Jacob*, and commands him to transfer it to the Great Farm. Here was observed, That *Suppressio Veri* is, in Law, an Argument of Guilt.'

'Here'

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An. 22 James I. 1624. 'Here Sir *Edward* alſo obſerved, (in a Parentheſis) That it is a bleſſed Thing of thoſe that love Parliaments; and that ſurely this Lord, of all others, loved them not; becauſe he caſt himſelf into dark Miſts, when he ſhould meet them; *Neſcio quid Peccati portat iſta Purgatio.* This argues much Guiltineſs.'

'Then he nominated his Witneſſes; which, he ſaid, were without Exception.'

'This Bribe is proved by *Hide*, *Daws*, *Biſhop*, and by *Abraham Jacob:* The laſt is a Witneſs with a Witneſs.'

'For *Jacob* blanched his Bribe as well as he could, and was taken in three notorious Falſities.'

1. 'Being charged, that the Money was delivered to him by *Hide*, he vowed he had never received it; yet, being confronted with *Hide*, he confeſſed it:---There was one.'

2. 'He pretended he had received the Money, but gave his Bond for it. *Hide* affirming to his Face, the Bond was for other Money, and no Bond at all for this; then he likewiſe confeſſed this:------There were two.'

3. 'He ſaid he never had any Warrant to enter the ſame in the Petty Farm; yet, afterwards, he avowed he had:---And this is the third Falſity.'

'Here Sir *Edward* obſerved, That *Jacob* was my Lord's neceſſary Creature and petty Chapman, and had a Son that was his Secretary; and, becauſe he was a *Jacob*, that is, a Supplanter, he deſired their Lordſhips to take good care of him.'

'About the Beginning of this Parliament my Lord ſent for this *Jacob*; aſked him, If he had entered this Money in the Petty Farm? he ſaid, Yea. Then ſaid my Lord, Go about it preſently, and ſee that the Cocquets, and all Things elſe, be ſuppreſſed in the Petty Farms, and that this Money be removed to the Great Farm; for I would have all hid and ſuppreſſed. Here Sir *Edward* obſerved, That ſordid Bribery is like *Adam*, and would fain get ſome Fig-Leaves, if it could tell but where to gather them.'

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'Upon the Delivery of this Charge (as was desired by his Friends) to the Lord Treasurer, they of the House of Commons expected an Answer of some rare Wit; for so this Nobleman was reputed in that House: But his Lordship deceived their Expectation; for he declared it was utterly, in every Point, he would not say false, but surely untrue.' An. 22 James I. 1624.

'Four Things he denied as he was a *Christian*; and these were all directly proved and made good against him.'

'And so much was delivered against the first Bribe. The second Bribe was of a strange Strain: And both these Bribes were received by him in the Quality of a Treasurer.'

'The Farmers of the Great Customs were to renew their Farms, and put in Security of 48,000*l.* Rent, *July* 29, 1622.'

'Here Sir *Edward* said he would not enlarge himself; for the Business lay in a narrow Room. The Bribe is the Point.'

'My Lord liked the Sureties well; but some of them fell off, and my Lord would not accept of the rest; and 7500*l.* of the Rent was reserved for a Year and a Quarter. After Delay of their Lease, and 500*l.* in Gold paid unto him by the Hands of *Jacob*, then the Security formerly rejected was now accepted: Which Act of his Lordship the Knight confuted by this Syllogism.

'The Sureties were sufficient, or insufficient; if sufficient, the Bribe was too much, and the Farmers oppressed; if insufficient, the Bribe was too little, and the King was cozened.'

'The second Bribe was proved by *Wolstenholme*, *Garraway*, *Williams*, and, if you please, *Abraham Jacob*; and so much of these two Bribes taken in the Capacity of a Treasurer.'

'Now he comes to the Court of Wards, and shewed, That the Lord Treasurer's Offences herein are of a rare Strain. First, the Knight noted, by way of Preface, That *Honos*, the Honour, must be given to him that deserved it. All the good

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An. 22 James I. 1624. Artifice began under Treaſurer *Saliſbury*. Then were Articles invented that helped the King to all his Revenues, and tied the Officers to their own Fees and Places. The King's Revenues proſpered well then: And theſe Articles, by the Advice of the Judges, were confirmed under the Great Seal.'

'When this laſt Lord came to be Maſter of that Court, (for now, ſaid the Knight, he is not charged as a Lord, but a Maſter) he complained he had no Elbow-Room for thoſe Articles; he was too much bound by them; (and bound he was indeed) and therefore he projects new Articles: And theſe new Articles are charged with high Extortion; for in them are raiſed double Fees: One Fee the Surveyor formerly had, and ſtill retains juſtly, another parallel Fee to this my Lord hath raiſed unjuſtly and oppreſſingly.'

'For Extortion is a grievous and conſuming Enormity in a Common-Wealth. It was the greateſt Evil the High God could foreſee would befal the Enemies of God. *Let the Extortioner conſume what he hath, and the Stranger devour his Labour.* Pſalm cix. *ver.* 10.'

'In theſe Articles his Lordſhip created a new Officer, a Secretary. The chief Proceedings there go by way of Petition. In the former Articles theſe Petitions were received by the Court, and entered by the Clerk without any Fee, and ſo were to be found on Record: But, in the new Articles, this new Officer is to receive theſe Petitions, and may, for any Rule to the contrary, ſuppreſs them; and, for his Fee, he taketh what he pleaſeth; and it is proved he hath taken 10*l.* 20*l.* 4*l.* 5*l.* three Diſhes of Silver, and the like: He is altogether unlimited, unleſs, peradventure, his Oath doth limit him.'

'Another Charge in this Court is this Abuſe, *viz.* The Lord Treaſurer's Place requires a whole Man, and ſo doth the Maſterſhip of the Court of Wards; whereupon his Lordſhip was fain (as unable to weild thoſe two great Places) to invent a new Device, a Stamp even with his own Name, *Middleſex*: Now, this

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this Hand moves and guides the Seal of the Court, and therefore, being turned by the Hand of a young Secretary, may produce strange Consequences.' An. 22 James I. 1624.

'Never any King did suffer a Subject to use a Stamp.

'Old Lord *Burleigh* had a Stamp, because of his Gout, but never suffered it to be used but in his own Presence.'

'King *Henry* VIII. had also a Stamp; but, suffering it to be employed by another, an Act of Parliament was overthrown thereby.'

'He would conclude with one Example:------ If a Ward be not found within one Year, he is reputed concealed, and so falls within the Disposé of the Master of the Court of Wards: Now, by the Secretary's keeping of this Stamp and Petitions, he may so carry the Matter, that any Ward may prove concealed; and that is no remote Possibility. He brought this Instance, *à posse ad esse*.'

'My Lord's Secretary hath put to, and used this Stamp for, the deferring of an Office for Half a Year; and it is therefore possible it may be done for a whole Year.'

'The Knight said he never knew any Man before trust a Stamp, in the Hand of another Man, to command the King's Revenue.'

'He concluded this Point with this Observation, That my Lord was a Man raised very high, and very lately, and for Expectation of Service: That the King had been very beneficial to him: and for him to be so supine in the King's Revenue, and so vigilant in his own, was the highest Ingratitude.'

Et si ingratum dixeris, omnia dixisti.

'Here the Knight pressed upon him his Three Oaths, taken as Master of the Wards, as Chancellor, and as Lord Treasurer.'

1. As Master of the Wards, *You shall well and truly serve the King and People.*

He did not so, he { deceived the King, and oppressed the People.

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You ſhall truly counſel the King.

He did not ſo, witneſs the Articles of Oppreſſion.

You ſhall do Right to all Men.

Impoſſible he ſhould do ſo, with the Stamp and theſe Articles.

2. The ſecond Oath, as Chancellor. *You ſhall honeſtly*, (a good old Word) *juſtly, and truly counſel the King.*

Not ſo, in this Impoſition, which came alone out of his Quiver; and was adviſed againſt the King's Covenant, and the King's Word.

3. The third Oath, as Treaſurer. *You ſhall will and truly ſerve the King and People.*

He doth not ſo that denies or delays the Subject; for every Delay is a Denial.

An old Canon of the Law is,

Nulli vendemus, nulli negabimus, nulli differemus Juſtitiam.

You ſhall truly counſel the King in all Things.

Judge, your Lordſhips, whether this Lord did ſo, that gave him Counſel to break his Word.

'Sir *Edward Coke* (*a*) (this learned Knight) ſaid, That all this he ſpake by Command; and ſo he prayed their Lordſhips to weigh it well, with due Conſideration, and to give Judgment according to the Demerits of the Cauſe.'

And ſeconded by Sir EdwinSandys.

Sir *Edwin Sandys* (*b*) proceeded to this Effect, *viz.* 'The Knights, Citizens and Burgeſſes in the Lower Houſe of Parliament aſſembled, had commanded him (undeſirous of any ſuch Employment) to ſecond this Charge to their Lordſhips: That he was undeſirous thereof, for he had rather defend the Innocent than diſcover the Culpable; yet he was the Son of Obedience, and muſt perform what, by that Houſe, he had received in Command.

'To decypher out this great Lord, upon whom the

(*a b*) It is remarkable that theſe two Gentlemen, appointed to this Charge againſt the Lord-Treaſurer, diſtinguiſhed themſelves, greatly, in their Oppoſition to the Court in the laſt Parliament. See Vol. V. p. 525, 6.

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the Charge lay, he would give of him this Character to your Lordships.' An. 22 James I. 1624.

Nescia Mens Hominum est, Fatique ignara futuri,
Et servare Modum Rebus sublata secundis.

'The Want of Measure and Moderation most Men complain of in this great Personage.'

'That he would make his Entrance with two Protestations; which (as you know) are Exclusions, not intended Conclusions.'

'His first Protestation, That in this Crimination against new Impositions, and Impositions upon Impositions.----The House of Commons intended not to question the Power of Imposing claimed by the King's Prerogative. This they touch not upon now; they continue only their Claim, and when they shall have Occasion to dispute it, they will do it with all due Regard to his Majesty, Statute, and Revenue.'

'For this Time, he desired the Word *Imposition* might be forborn, and the Word *Oppression* taken up in lieu thereof; yet with a Reference to the Lord Treasurer only, but in no Means to the King.'

'The second Protestation, That they intend to lay none, no not the least Aspersion upon the Council-Table, or any one Member thereof, the Lord Treasurer only excepted.'

'The House of Commons remain fully satisfied that he was the first Propounder.'

'These Protestations premised, he branched the Oppressions into three Natures, used in the Wines, Sugars, and Grocery-Wares.'

'And he promised to use this Method to discover, first, some General Matters, then fall to Particulars.'

The Generals are two:

'The first, The House of Commons conceive, that my Lord Treasurer cannot be ignorant, that in the Lay of the first Imposition, in the Time of the Earl of *Salisbury*, it was promised, in the Banqueting-House at *Whitehall*, That his Majesty would never lay any more Imposition upon Commodities, without the Consent of the People.'

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An. 22 James I. 1624. 'The ſecond General, That my Lord Treaſurer knew well that, in that Aſſembly of Parliament, Complaint was made in the Lower Houſe, that the Overburthening of Trade was the Deſtroying it; and that he was himſelf employed by the Houſe to the King to negotiate for Redreſs therein; and he promiſed there, that he would make it his Maſter-Work.'

Quid dignum tanto foret hic Promiſſor.

'The Iſſue of all was this, for his Lordſhip to deviſe new Burthens.'

'Theſe were the two Generals; from theſe the Knight deſcended to Particulars, and began with the Wines.'

'He put their Lordſhips in remembrance, that the Merchants had the King's Covenant under Seal, and Promiſe by his Royal Word, to lay no further Impoſitions: They had Reaſon to deſire it, for they paid a great Fine and Rent for the Farm, which your Lordſhips knew beſt; yet for all this, 19 *Januarii*, 19 *Jacobi Regis*, there iſſued forth a Privy Seal of impoſing 3 *l. per* Tun on the *French* Wines; a grievous Impoſition in the Matter, yet worſe in the Manner: For if it had been juſt, yet, in Equity, it ſhould have been laid before the Voyage undertaken, and the Vintage made; then it had been known, and, if known, the Merchants (as they affirmed in the Houſe of Commons) had ſtayed at Home, deſerted and given up Trading.'

'But this Impoſition was not laid till 2700 Tun of Wine were arrived in the River of *Thames*; and yet the Lord Treaſurer gave Command, that no Entry thereof be made in the Cuſtom-Houſe until Security was taken to pay this intolerable Impoſition.'

'He left your Lordſhips there to conſider their Circumſtances.'

'1. Ships all laden with this periſhing Commodity.'

'2. Great and exceſſive Leaking, by being upon the River, and Abuſe in the Paſſage.'

'3. Thirty Shillings *per* Tun formerly impoſed by the *Rochelers*.'

'4. Twenty

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'4. Twenty Shillings *per* Tun laid by the Merchants, for their several Apparel taken away by the *Rochelers*.' An. 22 Jame. I. 1624.

'5. This 3 *l.* *per* Tun to fill up the Measure of their Afflictions.'

'Yet, instead of Compassion in this Extremity, such as refused to pay, were cessed at double the Imposts; others, who could not put in Bonds, after Asperity of Language, and petitioning to the King, were committed to Pursuivants; yet the King's Privy-Council used the Merchants honourably; for they sent for the Vintners, and, to help the Merchants, they raised the Wine a Penny in a Quart.'

'Notwithstanding this the Merchants fell into the Hands of Customers, who used them rigorously, and they lost great Part of their Principal: First, They paid half of this new Imposition in hand, and gave Security to pay the other half; afterwards, the Payment was divided into three Parts, and secured by the Merchants accordingly. On the 20th of *August* following, another Privy-Seal was issued to determine the former; yet 40 *s.* only of this Imposition was taken off thereby, and 20 *s.* laid on the *French* Wines partially, and without Limitation; *viz.* 20 *s.* the Tun for *London*, and 13 *s.* and 4 *d.* for the Out-Ports, whereof the *Londoner* complained; and it was inserted in the Privy-Seal, to be at the humble and voluntary Assent of the Merchants; which is absolutely denied, for they only consented to pay 20 *s.* the Tun, until the Remainder of the former Imposition, so secured as aforesaid, were paid, and no longer; yet they were haunted by Pursuivants till they had paid; and they complain they are undone, unless their Bonds be delivered up. They further complain, That they do pay for their Trade *Cent. per Cent.* and shewed the Particulars, *viz.*'

'One Merchant had paid 800 *l.* to the King for his Part in a short Time, and now unable to pay any more,------Here the Knight said, That he

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An. 22 James I. 1624. would willingly ſuppreſs what follows, for Acerbity of Speech is no Breeder of good Blood: But the Commons had commanded him to ſpeak it, and to declare further, That the Merchants compared their Sufferings under theſe Impoſitions, to the Sufferings of the old *Iſraelites* in *Egypt*, when they were commanded to make Brick with leſs Straw; and generally confeſs, that they would drive twice as much Trade, if their Trade were not overburthened.'

'Hereupon they thought they had ſufficient Ground to complain! this being diſhonourable to the King and oppreſſive to the People, the King's Promiſe, Word, and Covenant being violated; theſe Impoſitions, double the Value, being grievous to the Subject and fearful to Poſterity; for beſides the old Impoſition, by Statute, upon Wines, there are three more upon one another.'

'*Et quis erat Modus*, of feeding upon Trade.'

'Here ended the Complaint touching the Impoſition on Wines.'

'Then he proceeded to the Complaint of the Leaſe of Sugars procured by the Lord-Treaſurer, *viz.*

'That whereas *George Herriot* held the Farm of Sugars, upon a Rent of 10,000 Marks *per Annum*, the Lord-Treaſurer procured him to ſurrender that Leaſe, and obtained a new Leaſe thereof unto two of his Lordſhips Servants to his own Uſe, at 2000 *l. per Annum* for the ſame.'

'What Merits had his Lordſhip, in the great extreme Want of Money, as to draw from his Majeſty ſo great a Reward as 4000 *l. per Annum* for 21 Years? But the Commons Complaint herein is of a higher Nature.'

'That the King having granted, that the Merchants importing any Merchandize, and paying the Duties for the ſame, if they export the ſame within 13 Months, their Impoſition is reſtored: This is obſerved in all other Merchandizes ſave that of Sugars.

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gars. The Reason is plain, if your Lordships know who is the Farmer of it.' An. 22 James I. 1624.

'The Commons further complained, That the Lord-Treasurer had turned the Composition for Grocery into an Imposition; which his Lordship did, without any Warrant, whereby he usurped Regal Authority.'

'That the City of *London* had yielded to a Composition for Grocery, but the Out-Ports refused, and especially the City of *Bristol*; and that in the Lord-Treasurer *Salisbury's* Time, *Anno* 11, *Jacobi*, that City had a Decree in the Exchequer, that they should be freed from any such Composition, upon condition to yield to Purveyance in Kind, when the King or Queen comes within 20 Miles of their City; which Purveyance cost them 800 *l.* when the Queen's Majesty was there. Nevertheless the Lord-Treasurer had directed his Warrant to levy a Composition upon the Merchants of that City and the other Out-Ports, against their Wills, with Commandment to stay the Landing of their Goods until it be paid.'

'And this, he said, was the Substance of their crying Complaint; what more can they say, but, with wise King *Solomon*, *If thou seest the Oppression of the Poor, and violent Perverting of Judgment and Justice in a Province, marvel not at it; for he that is higher than the highest regardeth, and there be higher than he*, Eccl. v. 8.'

'Their Complaint is of an high Lord, the Lord-Treasurer; but your Lordships are higher than we; the King higher; and God higher than all; whose Justice your Lordships execute.------This Justice they, humbly and instantly, demand of your Lordships against these Oppressions.'

This *Report* being ended, the Lords took into their Consideration how to proceed in the Business, and then referred the Examination thereof to the Sub-Committee on Munitions, *&c.* adding to the said Committee the Lord-Keeper, the Lord-Steward, the Bishop of *Bath* and *Wells*, the Lords

Went-

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An. 22 James I. 1624. *Wentworth* and *Spencer*: That their Lordſhips may divide themſelves into ſeveral Committees, if they pleaſe, for expediting this Buſineſs; and may ſend for any Witneſſes to be ſworn here in Court, that may conduce to the Examination thereof.

Committees appointed to examine Witneſſes in the Lord Treaſurer's Cauſe.

April 17. We hear no more of the Lord-Treaſurer's Affair for ſome Time, the ſeveral Committees of Lords being buſy in examining Witneſſes, in ſupport of the Charge the Commons had exhibited againſt him. But, this Day, another Conference was required, by a Meſſage from the Lords to the Commons, in order, as they ſaid, to clear ſome Doubts that had ariſen concerning the Breach of the Treaties. This Meſſage was agreed to, and the Conference was to be in the *Painted Chamber* immediately.

Account of the dangerous State of Ireland.

Upon this the Duke of *Buckingham* got up and acquainted the Houſe with a Letter, written from the Lord-Deputy of *Ireland*, unto the Lord *Chicheſter*, concerning the Weakneſs and imminent Danger of that Kingdom: And alſo with Intelligence from Mr. *Trumball*, the King's Agent at *Bruxels*, concerning the Vaunts and Threats of the Adverſary. His Grace alſo opened to their Lordſhips the Danger of a War in *Ireland*; and that the ſame may be prevented by a War of Diverſion in the Enemy's Country; and that the Counſel given his Majeſty to break off the Treaty will prove dangerous, if he be not ſupplied with Means to undertake a War.

The Lords agreed to acquaint the Commons with this Buſineſs, and that the King had ſent a Diſpatch into *Spain*, according to his Majeſty's former Intimation, for the Diſſolution of the two Treaties.

April 20. The Houſe of Lords was adjourned from *Saturday* the 17th to this Day, on a Motion of the Prince, becauſe the Funeral of the Duke of *Richmond* was to be performed on *Monday*. This Lord, who was Couſin-German to the King, died on the firſt Day of this Parliament, as has been before related.

Eighteen

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Eighteen Witneſſes were ſworn, a Week before, in the Lord-Treaſurer's Cauſe, touching ſuch Matters as ſhall be demanded by the Houſe, or any Committee appointed by them. And, the next Day, ſeventeen more were ſworn on the ſame Occaſion. Nothing more of Moment was done till the 24th. An. 22. Jacobi I. 1624.

On that Day, after ſwearing twenty-eight more Witneſſes in the Treaſurer's Cauſe, and reading the King's Anſwer to the Petition againſt *Papiſts*, &c. already given; the Archbiſhop of *Canterbury* reported to the Houſe, That the Committee appointed to examine into the Complaint againſt the Lord-Treaſurer, had met, and examined divers Witneſſes, who were ſworn here in the Houſe, and had made a Collection of Part of the ſaid Charge; which Mr. Attorney read in the Form following:

PART *of the* CHARGE *againſt the* LORD-TREASURER.

I. 'THE Farmers of the Petty Farms of Wines and Currants, having ſuſtained great Loſs in their Farms, by an Impoſt of 3 *l. per* Tun of Wines newly ſet, were long and inſtant Suitors to the Lord Treaſurer for Relief; but finding none, exhibited their Bill into the Exchequer, and afterwards a Petition to the King, for Reparation of their Loſs; to which having received a gracious Anſwer from his Majeſty, the Lord Treaſurer agreed with them upon a Recompence of 9500 *l.* to be defalked by 1000 *l. per Annum* out of their Rent; yet, after this Agreement made, he protracted their Warrant about ſix Months, and, in the End, took of them a Bribe of 500 *l.* for their Diſpatch, which was ſet upon the Account of the Petty Farms: But ſince the Summons of the Parliament, the ſame was, by his Lordſhip's Direction, poſted to the Account of the Great Farms.'

II. 'The Lord Treaſurer being preſented with a Tun of Wine, by the Farmers of the Petty Cuſtoms,

An. 22. James I. 1624. toms, was not contented therewith, but exacted Money of them alſo; who were thereupon drawn to give him 100 *l.*'

III. 'The Farmers of the Great Farm having, by their Leaſe, covenanted to give Security for the Payment of their Rent, divided their Farm into 32 Parts, appointing every Partner to give Security of 1500 *l.* for every Part. Five of the Partners relinquiſhing their Parts, the Security fell ſhort 7500 *l.* Whereupon the four Patentees, reſuming thoſe five Parts to themſelves, tendered their own Security; which his Lordſhip agreed to accept, yet protracted about three Quarters of a Year, until they gave him 500 *l.* for his Diſpatch. And whereas his Lordſhip pretends, by his Anſwer to the Houſe of Commons, that he had this 500 *l.* and the other 500 *l.* firſt mentioned in one entire Sum, for four-thirty-two Parts of that Great Farm, it appeareth his Lordſhip had no Parts at all in that Farm.'

IV. '*George Herriot* having the Farms of Sugars upon the Rent of 1000 Marks *per Annum*, the Lord Treaſurer procured *Herriot* to ſurrender that Leaſe; and, to effect the ſame, gives Order for the Payment of 14,865 *l.* due to *Herriot* for Jewels; all which was paid between the 15th of *December*, 1621, and the 10th of *January* following. The Leaſe was no ſooner ſurrendered, but the ſaid Treaſurer procures a Leaſe to two of his Servants, by Indenture, dated *Jan.* 13, 1621. for 21 Years, at 2000 *l.* Rent *per Annum*; which Rent his Lordſhip paid ſo ſlowly, that there having only 4000 *l.* thereof grown due ſince the Leaſe, 3000 *l.* thereof was paid on and ſince the 31ſt of *December* laſt: And whereas the Merchants, importing any Merchandize, and paying the Duties, are freed to export within the Year, without any new Payments; that Cuſtom was obſerved in all other Farms, but denied in this, for the ſaid Lord Treaſurer's Benefit.'

V. 'The City of *London* having yielded to a Compoſition for Grocery Ware, which the Out-Ports,

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Ports, particularly the City of *Briſtol*, refuſed; upon long Debate and Adviſement, in the Time of the Treaſurer *Saliſbury*, it was reſolved they ſhould not be preſſed thereto: Nevertheleſs, the Lord Treaſurer hath given Warrant to levy that Compoſition upon the Merchants of the Out-Ports againſt their Wills, or elſe to ſtay the Landing of their Goods; which hath been put in Execution accordingly.' 4a. 22 James I. 1624.

VI. 'In *December*, 1618, his Majeſty, upon great Deliberation and Adviſement, did ſet forth Inſtructions, very fitting and neceſſary for the well ordering of the Court of Wards: The Lord Treaſurer becoming Maſter of the Wards, and, for his own private Gains, aiming at an Alteration of thoſe Inſtructions, firſt procured a Reference to divers of the Council to conſider thereof, yet after waved that Reference; and, by his own Power and Greatneſs with the Officers of the Court, (tho' much againſt their Wills) and by Miſinformation of his Majeſty, (tho' much to the Diſadvantage of the King and Subject) in the Year 1622, procures new Inſtructions; thereby taking the Petitions from the Clerk of the Court, and appropriating them to himſelf and his Secretary, who takes great Rewards of the Subject for procuring Anſwers to the ſame; and, by Colour of thoſe new Inſtructions, he doubles Fees of Continuance of Liveries; and, having concealed the Wardſhips to himſelf, he may eaſily make Wardſhips concealed by the Courſe of the new Inſtructions.'

'Alſo he hath made a Stamp, and delivered the ſame to his Secretary to be uſed; thereby, unlawfully, putting into the Hands of his Secretary the greateſt Part of the Power and Truſt appertaining to the Office of Maſter of the Wards. This the Secretary hath uſed, ſtamping therewith, in the Abſence of the Maſter, Tenders, Continuances, Warrants to the Great Seal, Grants of Wardſhips and Leaſes, Indentures of Liveries, *&c.* And whereas, by a Privy Seal of 6° *Jacobi*, there was an Allowance

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An. 22 Jacobi. 1624.

settled for the Ordinary of the Office of Ordnance; which, being put out of Order in the Time of Sir *Roger Dalliſon*, *in Anno* 1617, the Lords, upon Reference from his Majeſty, ſet, under their Hands, a Proportion, both for preſent Supply and future upholding of that Office: But his Lordſhip, being Treaſurer for the Space of two Years and a Half, hath obſerved none of theſe Proportions or Eſtabliſhments; whereby the Stores are, in effect, wholly unfurniſhed.'

'And there being a Contract made with Mr. *Evelyn*, by himſelf and other Commiſſioners for his Majeſty, for ſerving his Majeſty with Gun-Powder, being a Bargain of high Conſequence to have been kept, his Lordſhip hath alſo neglected and broken that Bargain, to the Hazard of the Kingdom and Prejudice of the King.'

'He hath alſo made unlawful Bargains for the Lands of Sir *Roger Dalliſon*; wherein, for compaſſing thoſe Lands, he has contracted to do his Endeavour to procure Payment of 8000*l.* of old Arrears, (which he performed when he became Treaſurer) and to pay for the Land with making of Baronets and Suits to the King; and, in particular, a Suit, for compounding with his Majeſty's Copyholders of *Wakefield* by himſelf, worth 2000*l.* And, having agreed with Sir *Thomas Dalliſon* and the Officers of the Ordnance, he, to gain, indirectly, and by oppreſſive Means, an Eſtate which Sir *Roger Dalliſon* had paſſed to Sir *Richard Smith* and Sir *John Davy*, he ſetteth on Foot an Outlawry of Sir *Roger Dalliſon*, and thereby diſpoſſeſſeth Sir *Richard Smith* and Sir *John Davy*, who had been in Poſſeſſion, by a Trial at Law; uſing the Power of his Place, and Countenance of the King's Service, to wreſt them out of a Leaſe and Eſtate of great Value.'

After the Reading of this, it was ordered, That the ſaid Part of the Lord-Treaſurer's Charge ſhould be ſent unto him To-Day. And that he be warned

ed to appear here at the Bar, on *Thursday* the 29th Instant, at Nine in the Morning, to answer it. Likewise, if he had Witnesses to be examined, he may present their Names to the House to be sworn between this and the same Day. And this is said to be *Part* of the *Charge*, because there are other Things against him which are yet in Examination; and, when reported to the House, he shall be charged therewith, if thought fit. An. 21 Jacobi 1624. The Lord Treasurer ordered to answer the Charge against him.

April 26. The Messengers that were sent to deliver the Charge, &c. to the Lord-Treasurer, declared they had done it; but he gave no other Answer to them than, *It is well.*

April 27. After receiving eight Bills from the Commons, and doing some other Business, a Petition from the Lord-Treasurer was read *in hæc Verba:*

To the Most Honourable Assembly of the Lords Spiritual and Temporal in the High Court of Parliament.

The HUMBLE PETITION of the LORD-TREASURER of *England.*

MOST humbly representing to this most honourable House the Names of such Persons (by the Schedule annexed) as the Lord-Treasurer humbly desireth may be sworn and examined for Discovery of the Truth, upon such Articles as he shall exhibit, touching the several Matters contained in that Part of his Charge, which has been delivered to him. For which Purpose he humbly prayeth such Warrant for calling in these Witnesses, and such others as he shall give Notice of to the Clerk of the Parliament, as the Form of this High Court requireth. His Petition as to Witnesses, Counsel, &c.

And, withall, humbly propoundeth to the Consideration of this most honourable House, Whether your Lordships will think fit to proceed to Examination of Witnesses to be produced on his Part, before he hath made his Answer; whereby it may first appear to your Lordships what Things he will deny and what confess

An. 22 James I. 1624. *confeſs and avow, and in what Manner he will avow the ſame; upon which, as upon Iſſue joined, he may particularly examine his Witneſſes, and, after Copies of the Depoſitions taken both for and againſt him, the Cauſe may be prepared for your Lordſhips honourable Judgments; which he proteſteth to further, on his Part, to a Hearing with all poſſible Expedition.*

Laſtly, his moſt humble Suit is, That, in reſpect of the Nature and Multiplicity of the Matters objected againſt him, which do neceſſarily require the Aſſiſtance of learned Counſel, this moſt honourable Court will be pleaſed to aſſign the following Gentlemen to be of Counſel with him, in this Cauſe of Weight ſo much concerning him; viz. *Mr.* Doctor Steward, *Mr.* Richard Hide, *of the* Middle-Temple, *Mr.* William Hackwell, *of* Lincoln's-Inn.

MIDDLESEX.

Then follow the Names of near forty Witneſſes.

This Petition being read, the Lords appointed a ſpecial Committee to conſider what Anſwer ſhould be made to it, conſiſting of the Lord-Preſident, Lord Viſcount *Rochford*, the Biſhop of *Rocheſter*, and the Lords *Wentworth*, *Howard*, and *Say*. Theſe Lords having withdrawn themſelves ſome Time, and being returned, the Lord-Preſident reported to the Houſe the Anſwer agreed on, in theſe Words:

The Order of the Lords thereupon.

1. That Warrants ſhall be given for calling in of ſuch Witneſſes, whoſe Names ſhall be exhibited in Writing, and thought fit by the Houſe to be examined; the Interrogatories and Witneſſes Names to be ſent to the Houſe To-morrow in the Afternoon, and the Witneſſes themſelves to appear, that ſuch of them may be ſworn and examined as the Houſe ſhall think fit. 2. The Houſe ſees no Cauſe, when the Witneſſes Names and Interrogatories are ſent in, why the Examination of them ſhould be deferred: But the Day for his Appearance and Anſwer was to hold. 3. His Lordſhip may

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may uſe what Council he pleaſes to adviſe for his Defence; but it ſtands not with the Orders of this Houſe to allow Council, at the Bar, in Caſes of this Nature. An. 22 James I. 1624.

This Anſwer, being read and approved, was ſent to the Lord-Treaſurer. A *Memorandum* is made, That the Earl of *Bridgewater*, one of the Committee to ſearch Precedents, *&c.* reported, That they could find none where a Member of this Houſe did anſwer, by his Counſel, to a Complaint exhibited againſt him: But that divers Members of this Houſe and others had anſwered in Perſon and not by Counſel; and that Counſel was denied to *Michael de la Pole*, Lord-Chancellor, *Anno* 10, *Richard* II. when he required the ſame.

April 28. The Lords being informed that the Witneſſes, whom the Lord Treaſurer deſired to be examined, waited without for that Purpoſe; they ordered the Uſher to go forth and enquire, whether any from the Lord-Treaſurer attended with Interrogatories to be exhibited by his Lordſhip to the Witneſſes. And, being informed there was none, the Lords agreed, for gaining of Time, to ſwear the ſaid Witneſſes according to the uſual Oath.

Soon after this came another Petition from the Lord-Treaſurer to the Houſe, which was read *in hæc Verba:*

To the Right Honourable Aſſembly of the Lords Spiritual and Temporal in the Higher Houſe of Parliament.

The HUMBLE PETITION of the Earl of MIDDLESEX, LORD-TREASURER of *England*,

MOST humbly ſheweth, That, according to your Lordſhips Directions, in Anſwer to his Petition humbly preſented Yeſterday, he had appointed the Witneſſes there named to attend the moſt honourable Houſe this Afternoon, to be ſworn to anſwer ſuch Interrogatories as, on his Behalf, ſhall be exhibited. The Lord Treaſurer's Petition as to Interrogatories, Diſpoſitions, &c.

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An. 22 James I. 1624. *But, whereas your Lordships did further direct that the said Interrogatories should be presented this Day; he most humbly desires your Lordships to be truly informed, that, having neglected no Time since he received his Charge to prepare his Answer, he finds the Matters objected so many and of such divers Natures, that he cannot yet, possibly, furnish the same, in such perfect and particular Manner, as he ought, and desires to do for your Lordships best Satisfaction, and the clearing the Matters laid to his Charge in all Points.*

And therefore, his Answer being not yet ready, upon which all the Interrogatories must properly be grounded, and without which your Lordships Judgments of the Pertinencies of the Interrogatories cannot be rightly informed, he humbly beseecheth your Lordships to respite them, and as soon as his Answer is finished he will forward them with all possible Speed.

And he doth, once again, humbly propound to the Consideration of this most honourable House (because therein your Lordships have not been pleased to give Answer unto his former Petition) whether your Lordships will not, in your noble Justice, permit him to have Copies of the Depositions taken and to be taken in this Cause, on both Sides, without which he shall be utterly disabled to make that just Defence, which a Cause, of that Importance to him, doth necessarily require.

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Order thereupon. The Lords, upon reading this Petition, did all agree, 'That it is against the Order of this Court, as well as of all other Courts, for a Delinquent to have Copies of the Examinations before he answers.' And, as to the rest of the Petition, the following Answer was agreed on to it.

'The Lords expected to be obeyed and not to have been directed; and hold for a Disrespect unto the House, That Witnesses should be produced and sworn, and no Interrogatories sent whereon to examine them as was required.'

'The Copies of Depositions already taken, for Proof of the Charge, was not directly prayed in the

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the former Petition, therefore it was not precisely answered; but it is so unfit a Desire that the Lords think the Petitioner ill-advised to make such a Request. And, according to the former Order of the House, the Lords expect the Lord-Treasurer's Appearance To-morrow Morning, to hear such Answers as he shall make.' An. 22 James I. 1624.

April 29. Another Petition from the Lord-Treasurer was presented to the House, and read *in hæc Verba*; directed as before:

The Lord Treasurer's Petition for further Time.

MOST humbly shewing, That, besides the weighty Cares of Mind which now do lie upon him, by the Charge he hath received from that most honourable House, he is fallen into such an Indisposition of Body, as he is once more enforced to beseech your Lordships, in your noble Justice and Favour, to grant him a farther Day for presenting his Answer and Interrogatories, which fall out to be much longer than he himself expected. It being no small Addition to his Sorrows, that, in a Case so nearly concerning him, he cannot conceive by their Lordships former Answers to his former humble Petition, that they purposed to allow him Copies of the Depositions, whereby, after his Answer delivered in Writing, he shall prepare himself for his just Defence against the Hearing.

MIDDLESEX.

To back this Petition, his Royal Highness the Prince moved the House, 'That in respect of the Lord-Treasurer's great Office, and Sickness pretended by his Lordship, he might have a longer Day given him, and that Day to be absolute. On which the following Answer to the Petition was agreed on.

'That the Lords, only, in respect of the Lord-Treasurer's Indisposition of Health, are pleased to respite his Appearance this Day; but to enjoin that on *Saturday* next, *May* 1. at Nine in the Morning, if his Health so permit, he bring his Answer accord- Which is granted him.

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An. 22 James I. 1624. according to the former Orders of this House; if not, that then he send his Answer to his Charge in Writing, and all such Interrogatories as he would have his Witnesses examined upon. Likewise, the Lords do peremptorily assign *Friday*, the 7th of *May* next, at Nine in the Morning, for his Appearance in Person, and for the final hearing and determining the Cause.'

This Concession of the Lords was gained by a Letter, which the Treasurer had wrote to the King, to intreat him to intercede with them for longer Time. The Letter itself is too consistent with this Design to be omitted.

The Earl of MIDDLESEX to the KING (*d*).

Sacred Majesty and my most gracious Master,

His Letter to the King for that Purpose.

YOUR Goodness is such to me your oppressed Servant, in this my Time of Persecution, as I know not how to express my Thankfulness; otherwise than by pouring forth my humble and hearty Prayers to the great God of Heaven and Earth, to grant your Majesty all Happiness here and everlasting Happiness hereafter.

Between Five and Six of the Clock on Saturday *in the Evening, I received my Charge from the Lords assembled in Parliament, with an Order by which I am commanded to appear at the Bar, on* Thursday *next, by Nine of the Clock in the Morning, with my Answer; and in the mean Time to examine my Witnesses.*

This Charge of mine hath been in preparing, by examining Witnesses on Oath, and otherwise, twenty-three Days; and hath been weighed by the Wisdom of both Houses; and doth concern me so nearly in Point of Honour and Faith to your Majesty, to answer well, as I value my Life at nothing in comparison of it.

I may grieve, though I will not complain of any thing my Lords shall be pleased to command; but do hope that, upon a second Consideration, they will not

(*d*) *Cabala*, or *Mysteries of State*, &c. Fol. Edit. p. 301.

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not think three Days a fitting Time for me to make my Answer, and to examine Witnesses in a Cause of such Importance and so nearly concerning me, when twenty-three Days have been spent, almost from Morning until Night, in preparing my Charge. An. 22 James I. 1624.

I know the House (whose Judgment I shall never desire to wave) is the proper Place for me to move to be resolved herein; and therefore shall, on Wednesday *Morning, make my humble Motion there, to have seven Days longer Time, as well to make my Answer and Appearance, as to examine my Witnesses, who are many, and upon several Heads.*

But because the Prince his Highness and many of the principal Lords are now with your Majesty at Windsor, *my humble Suit to your Majesty is, that you would be pleased to move them, on my Behalf, to yield me so much further Time, that my Cause may not suffer Prejudice for want of Time to make my just Defence; that which I have propounded being as moderate as is possible.*

With my most humble and hearty Prayer to Almighty God for Continuance of your Health, with all Happiness, I humbly kiss your Majesty's Hands, and will ever rest,

April 26, 1624. Your Majesty's most humble Subject and Servant, MIDDLESEX.

To go on with our *Journal*:---The same Day, *April* 29, the Attorney General read some additional Articles to the Charge against the Lord Treasurer, *in hæc Verba:*

Additional Articles against the Lord Treasurer.

'I. He undertook the Office of the Wardrobe, in the 16th Year of his Majesty's Reign; and continued in the Service of that Place from *Michaelmas, Anno* 16, to the same Time, *Anno* 19. This Office he took upon him under Pretence of doing his Majesty special Service; and, for that Purpose, obtained a certain Assignment of 20,000*l. per Ann.* or thereabouts, which was duly paid unto him by way of Impress.'

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An. 22 James I. 1624.

'Inſtead of doing Service, he had brought that Place into Diſorder and Confuſion; he hath not duly ſerved the Warrants which he ſhould have ſerved, nor paid the Workmen and Creditors; he hath neither kept orderly Accounts, nor yielded any; but, under Colour of pretended Service of great Importance, hath procured Gifts and Diſcharges of great Sums of Money, which he received for the Execution of that Place, and for the Queen's Funeral.'

'II. Whereas, in the former Charge delivered to his Lordſhip, it is mentioned that Merchants, importing Sugars, have been denied to export the ſame without paying new Duties: It appears, upon further Conſideration of that Buſineſs, That the Prejudice the Merchants have ſuſtained concerning their Sugars, is, that they have been denied, upon Exportation of Sugars, the Impoſts paid on Importation; which is contrary to the Direction given by his Majeſty's Letters Patents 5 *Sept.* 8 *Jac.*'

A Copy of this, ſigned by the Clerk, was ſent to the Lord Treaſurer by Mr. Serjeant *Davis* and Mr. Serjeant *Finch*.

May 1. This Day the Lord Treaſurer ſent yet another Petition to the Lords, with his Anſwer to his Charge, and the Interrogatories to four Parts of the ſame; which, being read, were referred to a Committee, who were to report to the Houſe what Interrogatories they reject. The Tenor of the Petition was as follows:

To the moſt Honourable Aſſembly of the Lords Spiritual and Temporal in the Higher Houſe of Parliament.

His further Petition.

THE Lord Treaſurer, with moſt humble Thanks, acknowledgeth the honourable Favour of this Houſe, by their noble Order made in this Houſe on Thurſday *laſt; and doth moſt humbly take hold of the Liberty thereby granted him, (in reſpect of his Indiſpoſition, which yet continueth) moſt humbly to preſent*

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ſent to your Lordſhips herewith all his Anſwer, in Writing, as well to the Charge he received the 24th of April, *as to the Additions thereto which he received the 29th of the ſame, together with as many of his Interrogatories for Examination of Witneſſes as he could poſſibly make ready by this Time, which are full and perfect for four of the Articles of his Charge; moſt humbly deſiring* Monday *Morning at the Sitting of the Court for the bringing in the reſt; and that your Lordſhips will pardon the Length of his Anſwer; the Variety and Multiplicity of the Particulars neceſſarily requiring it, as well for the readier informing of your Lordſhips Judgments, as for Relief of his own weak Memory, whom as yet you have been pleaſed to appoint to ſtand alone without Counſel at the Hearing: He doth withal humbly explain his Meaning in the former Petitions, which were not to deſire Copies of the Depoſitions before his Anſwer were put in, and all Witneſſes for and againſt him fully examined: But, when that ſhall be done, he hopes it will ſtand with the Honour and Juſtice of that moſt honourable Houſe, to allow him Copies of the Depoſitions on both Sides.* An. 22 James I. 1624.

MIDDLESEX.

The Tenor of the Lord-Treaſurer's Anſwer to his Charge followeth:

The HUMBLE ANSWER *of the Earl of* Middleſex, LORD-TREASURER *of* England, *to the Part of the* CHARGE *which was delivered him from the moſt honourable Court of the Higher Houſe of Parliament, on Saturday the 24th of* April, 1624.

His Anſwer to the firſt Part of the Charge againſt him.

TO the firſt and third Articles concerning the two pretended Bribes of 500 *l.* a-piece, alledged to be taken by the Lord-Treaſurer for the ſeveral Cauſes mentioned in the ſaid Articles: His Anſwer is, That no ſuch ſeveral Sums were ever paid unto him, nor any Money at all for any of the Cauſes mentioned in the ſaid Charge; but he acknowledgeth that, the 27th of *June* laſt paſt, he, by his Servant, did receive at the Hands of

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An. 22 James I. 1624. *Abraham Jacob*, one entire Sum of a 1000 *l.* in conſideration of his, the ſaid Lord-Treaſurer's, Intereſt in four 32 Parts of the great Farm, which he had formerly reſerved unto himſelf, upon ſettling the new Leaſe thereof; and for no other Cauſe, as he hath truly alledged in his Anſwer to the Houſe of Commons: And, for better Satisfaction of this moſt honourable Houſe therein, he hath here ſet down a true and particular Declaration of the State and Carriage of that Buſineſs, as followeth:

'He is very well aſſured, that as his general Courſe, in all Bargains of the like Nature for the King, hath been to look to his own Duty and the King's Service, as the Huſband of his Majeſty's Eſtate; ſo in this particular, touching the 9500 *l.* allowed to the Petty Farmers in recompence of their Loſſes, he carried himſelf ſo carefully and ſo ſtrictly for the King, as he could no ways expect ſo much as Thanks, much leſs any Gratuity or Reward from them: For though, at firſt, they demanded of his Majeſty a very great Sum, pretending, that the Interruption they complained of was 10,000 *l.* Diſadvantage to them in their firſt Year only; yet, upon good Reaſons, ſhewed by the Lord-Treaſurer, on his Majeſty's Behalf, they were brought to accept of 9,500 *l.* whereof, though they earneſtly preſſed to have preſent Satisfaction, yet he over-ruled them to take it in nine Years and an Half, (which was not worth more than 5000 *l.* in hand) and that, alſo, to be in full Satisfaction of all their Demands, not for one Year, but for the whole Term of nine Years and an Half; ſo, as, in that Particular, the Lord-Treaſurer was ſo far from doing them Favour, that he thinks, they have maliced him ever ſince, rather for holding them ſo hard to it, than for any Regard to the King's Service.'

'And for the Great Farm, the ſaid Treaſurer ſaith, That the old Farmers, becoming Suitors to renew their Leaſe, propounded to leave the Silk-Farm upon his Majeſty's Hands; and, withal, to have an Abatement of the Rent they then paid for the

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the Great Farm: Whereupon the Lord-Treasurer, finding how much that Offer tended to his Majesty's Disadvantage, desired Sir *Arthur Ingram*, by himself and his Friends, to get a better Offer made to the King, which was done accordingly; and thereby his Majesty's Rent was not impaired (as at first was proposed) but increased 4000 *l. per Annum*; and the Silk-Farm-Rent was also made good; which, otherwise, to have been lett by itself, would not have yielded the old Rent by 5, or 6000 *l. per Annum*; so that the Bargain was better to the King than the old Farmers first offered by 9, or 10,000 *l. per Annum:* Notwithstanding, it was thought fit by his Majesty that, the old Farmers, coming to the Rate offered by others within a 1000 *l. per Annum*, should have the Preference of the Bargain. But withal, the Lord-Treasurer, to gratify those, who, by their said Offers, had done the King Service, by advancing the Rent as aforesaid, did, at the Instance of Sir *Arthur Ingram*, on his and their Behalf, reserve certain Parts of the said Farm, with no other Intention but to dispose the same among them; and then gave Order for the Lease to proceed to the Patentees, who were named, in Trust, for themselves, and all the Partners.' An. 22 James I. 1624.

'And, afterwards, the said Lord-Treasurer did dispose of the said Parts, reserved to the said Sir *Arthur Ingram* and others, according to the first Intention; four of which Parts, the Parties which had them did afterwards, at several Times, give up to the said Lord-Treasurer, and left the same at his disposing. Some Months after, Sir *Philip Carey*, who had one of the Lord-Treasurer's Parts, and some others placed by the Farmers, upon some Mislike of Carriages of that Farm, did also relinquish and give up their Parts; upon Occasion whereof, the Lord-Treasurer, being put in mind by Sir *Arthur Ingram* of the said four Parts, which were returned unto him by those to whom he had formerly disposed them; and being asked what he would do with them, did, upon *Jacob's* next coming to him, ask him, How the Farmers meant to use

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An. 22 James I. 1624. uſe him for his four thirty-two Parts of the Farm? He anſwered, That becauſe his Lordſhip had formerly ſigned a Warrant, for the King's Security of all the thirty-two Parts, and ſaid nothing of thoſe four Parts, they thought his Lordſhip had waved them; but he would ſpeak with the Partners about it, and then give him a full Anſwer. Within few Days after, *Jacob* returned to him, and very freely offered a 1000 *l.* for his Parts, according to the Rate which, he ſaid, they had lately given to Mr. Chancellor for his; which the Lord-Treaſurer was contented to accept: And within four Days after, he told Mr. Chancellor what Bargain he had made with the Farmers, for his Intereſt in four thirty-two Parts of the Great Farm, *viz.* That he had ſold them to the Farmers for a 1000 *l.*'

'This Agreement being thus made with *Jacob*, and the 1000 *l.* paid accordingly; it falls out, by that which was ſince diſcovered, That he and his Partners, which ſhared thoſe four Parts, agreed together, to eaſe themſelves of that Money, (which ſhould have been properly borne upon their own private Accounts,) by laying the ſame upon the general Accounts of the Great and Petty Farms; (themſelves being Farmers in both) and thereupon, the 1000 *l.* as is ſince diſcovered, was by them divided into two Parts; the one Half entered upon the Books of the Petty Farmers, and the other, upon the general Account of the Great Farm, as Gratuities to the Lord-Treaſurer; who little knew of their unjuſt Proceedings, both with himſelf and their Partners, until about *Chriſtmas* laſt; when he had firſt Intimation of ſome ſuch Charge laid upon the Petty Farms, not hearing then that which was done upon the Great Farms Account: Hereupon he preſently ſent for *Jacob*, and was much offended with him, that he ſhould ſuffer any ſuch unjuſt Thing to be done; who, at firſt, denied it; but, the next Day, confeſſed it; and ſaid, it was ill done; and ſaid, he was over-ruled in it; and promiſed to ſet all ſtraight again, according to the Truth and Right of the Caſe; which, the Lord-Trea-

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Treasurer understands was done accordingly; not by posting the 500 *l.* from the Petty Farm's Account to the Great Farm's, but by discharging both unjust Charges out of both Accounts; the Patentees returning back the Money which they had taken off the Petty Farmers, upon the Lord-Treasurer's just Exception thereto; and also making like Restitution, of their own Accord, to their Partners in the Great Farm, whom they had likewise wronged; whereof the Lord-Treasurer heard nothing till of late: So, he hopes, the Proofs of this Cause will make it evidently appear, that all this Scandal hath fallen upon him, by this underhand working of the Patentees for their own private Gain; by wrongfully charging their Partners in both Farms, to ease themselves, without the Lord-Treasurer's Privity or Knowledge: And tho' the Patentees, to make their own Tale good, have lately denied that the Lord-Treasurer had any Part in the Farm; yet, it will manifestly appear upon Proof, by the Oaths of Men of good Reckoning, that themselves have acknowledged, that his Lordship had reserved Part of that Farm at his disposing.' An. 22 James I. 1624.

'For the 100 *l.* and the Tun of Wine, alledged, in the second Article, to be received: The Truth is this, That *Abraham Jacob* being with the Lord-Treasurer about other Business, told him, That the Farmers of the Petty Farms, had, or did intend, to present him with a Tun of Wine, for a New Year's Gift. The Lord-Treasurer then answered him merrily, That other Lord-Treasurers had been better respected by those Farmers, and that he would have none of their Wine; and shortly after, *Bernard Hyde* brought him an 100 *l.* for a New Year's Gift only, and for no other Cause.'

'To the fourth Article, concerning *George Herriot's* Reckoning and the Sugar Farm, the Lord-Treasurer makes this Answer, That in 1620, a Lease was granted to *George Herriot*, of the Impost upon Sugars for three Years, not at the Rent of 10,000

An. 22 James I. 1624. 10,000 Marks *per Annum*, as is alledged in the Charge, but at leſs by a 1000 *l. per Annum*, viz. 5666 *l.* 13 *s.* 4 *d.* Rent.'

'Afterwards, the 17th of *November* 1620, in the Time the Lord Viſcount *Mandeville* was Treaſurer, *Herriot* obtained a Privy-Seal of Aſſignment, whereby he had Power to pay himſelf out of the Sugar-Farm-Rent, by way of Retainer, a Debt of 13,089 *l.* 16 *s.* formerly due to him, *viz.* for his Free-Arrear in the Exchequer 187 *l.* 10 *s.* and upon ſix Privy-Seals for Jewels, formerly bought of him, 12,902 *l.* 6 *s.* in which Privy-Seal of Aſſignment, there was one ſpecial Clauſe, That if the ſaid three Years Rent would not ſuffice to pay the whole Debt, by reaſon of Defalcations which might fall out upon the Farm, the reſt ſhould be made good out of the Exchequer; and afterwards, in *May* and *Auguſt* 1621, in the Viſcount *Mandeville's* Time, *Herriot* obtained two other Privy-Seals, for two other Debts due to him, amounting to 1962 *l.* 15 *s.* which, being added to the former Debts by Privy-Seal, makes up the great Sum of 14,865 *l.* mentioned in the Lord-Treaſurer's Charge.'

'And whereas it is alledged, that this whole Sum of 14,865 *l.* was paid to *Herriot* by the now Lord-Treaſurer's Order within the Space of 26 Days; the Truth is, There was not one Penny paid at all in Money, but *Herriot* being indebted to his Majeſty 7799 *l.* upon account of the Rents and Profits of the Sugar-Farm until *Chriſtmas* 1621, the ſame was allowed in diſcharge of ſo much of his Debt of 14,865 *l. viz.* 5666 *l.* 13 *s.* and 4 *d.* which he had Power to pay himſelf, by virtue of the ſaid Privy-Seal of Aſſignment; and 2132 *l.* 6 *s.* and 8 *d.* which was done by him upon his Account before the Leaſe of the Sugar-Farm began. And whereas he might, by the ſaid Privy-Seal of Aſſignment, have paid himſelf the other 7066 *l.* within leſs than 15 Months; the Lord-Treaſurer did, by *Herriot's* Conſent, tranſfer the ſame to be paid out of the Tobacco-Farm, *viz.*

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viz. 4000 *l.* at *Michaelmas* 1622, and the reſt at *Michaelmas* 1623; which was a longer Time and more advantageous Aſſignment for the King than the former was: So, although there were ſeveral Orders ſigned, as if the Money had been paid immediately out of the Exchequer; yet that was done, of Neceſſity, to enable the ſtriking Tallys, for the Tellers Charge and Diſcharge, as the Form of the Exchequer required, without iſſuing any Money at all: So that it will appear upon Record, this Charge upon the Lord-Treaſurer is wholly miſtaken; and that he was ſo far from paying ſo much ready Money as he is charged with, that he paid no ready Money at all, but by Aſſignment; which he made at longer Days, than it was formerly ſettled in his Predeceſſors Time. And thereupon *Herriot*, having his Debt thus ſettled and paid to his Content, did ſurrender up his Leaſe; which, he had procured to no other End, but to ſecure the Payment of the Debts owing to him by the King. Afterwards, it is true, his Majeſty granted a new Leaſe of the Sugar-Farm to the Lord-Treaſur's Uſe, at the Rent of 2000 *l. per Annum*; in the granting whereof his Majeſty was truly informed of the State of the ſame, and particularly made acquainted, That the ſaid Farm of Sugars might be improved to 6000 *l. per Annum*, though *Herriot* had it but at 5666 *l.* 13 *s.* 4 *d.* it being his Majeſty's Pleaſure, out of his own Grace and Goodneſs, to grant the ſame, in Form aforeſaid, to the Lord-Treaſurer, for his many Services, and for Conſiderations beſt known to himſelf.' An. 22 James I. 1624.

'For the ſlow paying his Rent, it is true, that one of the 3000 *l.* was paid three or four Days after the Rent-Day, and the other two Half-Years Rents were forborn in reſpect of ſome private Diſburſements of his Lordſhip's for the King; upon Bills of Exchange to the Commiſſioners for *Ireland*; and other Engagements for his Majeſty; which his Lordſhip intended ſhould be diſcharged and cleared by the ſaid Rent.'

'And,

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An. 22 Jacobi I. in 1624.

'And, lastly, The Liberty of transporting Merchants Sugars, formerly imported, remaineth now in the same Estate and Condition, without any Alteration, since the Lord-Treasurer's Lease, as it did at any Time before; neither is there any such Restraint or Denial made by him, or under him, to the Merchants Prejudice or his own Profit, as is alledged in the Charge.'

'To the fifth Article, touching the Composition for Grocery-Wares in the City of *Bristol* and the Out-Ports; the said Lord-Treasurer saith, That Complaint being made unto him on his Majesty's Behalf, That, the said Composition-Money being no less due in the Out-Ports than in the Port of *London*, no certain Course was settled for the receiving of it, or bringing it to account for his Majesty's Use, so as little or no Benefit thereof came to the King: He thereupon thought fit to send a general Warrant to the Out-Ports, to authorize *Abraham Jacob* to take care of that Collection; and receive such Duties of that Nature, as had been formerly used to have been paid; to the end the whole Collection thereof might come in upon one Man's Account; with no Intention to raise a new Charge upon the Subject, but only to settle the Collections of the King's Duties in Order. And, as soon as the said Lord-Treasurer had notice, That the Citizens of *Bristol* had formerly yielded to furnish his Majesty's Houshold with Grocery in *Specie*, upon Purveyance, at the King's coming into those Parts; and, thereupon, had obtained an Order in the Exchequer, to exempt them from the Payment of the Composition; the Lord-Treasurer did presently discharge the former Warrant sent thither before, and referred the Merchants (who acquainted them with it) to Sir *Simon Harvey*, one of the Officers of the Green Cloth; who certified his Lordship, that he had agreed with them to their good Contentment.'

'To the sixth Article, concerning the Business of the Court of Wards, the Lord-Treasurer makes this humble Answer, That in *December* 1618, his Ma-

Majesty did set forth Instructions for the ordering of the Court of Wards; which Orders were set forth by the Procurement and Solicitation of some of the Officers, without the Privity of the Lord Viscount *Wallingford* then Master, and some other of the Council of that Court, and near about the Time of his Lordship's leaving the Place; divers of which Articles tended to the Abridgement of the ancient Authority and Profits of the Master's Place, and for the Profit of others of the Officers of the Court.' An. 22 Jacob. 1624.

'Whereupon the Lord-Treasurer, being made Master, was an humble Suitor to his Majesty to restore him to the former Rights of the Place, by altering the said Instructions in some Points, not prejudicial to his Majesty's Profits, nor grievous to his Subjects; upon which it pleased his Majesty to refer the same to some Privy Counsellors, as is mentioned in the Charge; after which Time, and before any thing was done, upon the humble Motion of the Lord-Treasurer, his Majesty was pleased to direct, That the Master and Officers should first confer and agree (if they could) among themselves, and resort to the Referees, if they agreed not: Whereupon the Master and all the Officers, upon sundry Meetings and Debating, agreed among themselves for the new Instructions, and thereupon voluntarily subscribed their Names. There was no Misinformation used to his Majesty; neither are the Points contained in the new Instructions disadvantageous to the King or Subjects more than the former, and, in some Points, of much more Advantage both to the King and Subject.'

'Touching the taking Petitions from the Clerk of the Court, and appropriating them to himself and the Secretary, who is charged with taking great Rewards for procuring Answers to the same, he saith, That, until the said Instructions of 1618, all Petitions were delivered to the Master; which, by the said Instructions of 1618, were (to the great Prejudice of the Subject, and Delay of his Majesty's Service) delivered to the Clerk of the Court, who

An. 22 James I. 1624. who was to preſent it at the Sitting of the Council, which could be only in Term Time; whereas, by the former ancient Courſe, and by the laſt Inſtructions, the Petitions being delivered to the Maſter, he only giveth Order for finding and returning an Office, which muſt alſo be entered with the Clerk; and, the Office being returned, the Grant is made by the Maſter and Council, at the Council Table. By this Courſe the Suitor hath Expedition at all Times, and the Maſter no Profit at all; and the Secretary neither hath taken, nor exacted, any Reward of the Subject for procuring Anſwers, to the Knowledge of him the Lord-Treaſurer.'

'Touching the doubling Fees for Continuance of Liveries, by the new Inſtructions, he ſaith, That, ever till the Inſtruction of 1618, the Suitor might continue his Livery, either with the Maſter or Surveyor; and the Maſter's Fees for ſuch Continuance was ever ten Shillings. The Inſtructions of 1618 appropriated the Continuance only to the Surveyor, which was an Encroachment by the Surveyor upon the Maſter; now the new Inſtructions enjoin the Continuances to be with both, for which the Maſter taketh no other Fee than ten Shillings, which was the ancient Fee for Continuances taken by all Maſters before him: And, for Tenders, the Maſter doth now take but five Shillings; whereas the ancient Fee is ten Shillings.'

'By the Continuance before both Houſes, Men are rather forced to ſue out their Liveries to the Benefit of the King, and Good of ſuch as have Cauſe to ſue againſt them.'

'Touching the having of concealed Wardſhips, and, to that Point, that the Maſter may eaſily make Wardſhips concealed by the Courſe of the new Inſtructions, the Lord-Treaſurer ſaith, That altho' he hath the diſpoſing of concealed Wardſhips, yet the Benefit of them is to the King's own Uſe; and it is not in his Power to make a concealed Wardſhip: For if the Petition ſhould be ſuppreſſed, or not anſwered, yet it is no Concealment, by the new

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new Instructions, if any Suit be made for it within a Year after the Death of the Tenant; neither is the Lord Treasurer charged to have done, or so much as to have attempted any such Act.' An. 22 James I. 1624.

'Touching the Stamp, which he is charged with having delivered to the Secretary, he doth humbly acknowledge the same; but, withal, desireth your Lordships to take into Consideration, that the whole Purpose and Scope of doing thereof was only for the present Dispatch of Suitors in ordinary Matters of Course; and for such Business as could not be effected by the Stamp alone, without the Assistance or joining of other Officers therewith, either before or after putting the Stamp: And the Lord Treasurer was rather induced to give way thereto, because he had understood that the Lord *Burleigh*, when Lord Treasurer, made use of the like; and for that Stamps are in use in other Offices at present: Yet, if the Lord Treasurer had ever conceived, or been informed, that it had been unlawful or unfit, he should not have used it: Also he directly affirmeth, That, by the Use thereof, neither the King's Majesty, nor the Subject, hath hitherto any Charge or Prejudice, but much Ease in their Dispatch.'

'And as to *Dallison's* unsettling the Office of Ordnance, that fell out eight or nine Years since; and the Supply set down by the Lords, *Anno* 1617, was four Years before the Lord Treasurer was in Office; neither did the Commission of the Treasury, nor his Predecessors, pursue any Point thereby directed; but it lay wholly neglected, and now only revived against the Lord Treasurer, who never saw it but in this Parliament: And for the Book made up by the Commissioners of the Navy, *in Anno* 1620, for supplying the Stores and future upholding of the Office of Ordnance, (tho', being the last of the three Settlements mentioned in the Articles, it might be sufficient to suspend both the former) it was so far from being an Establishment to govern the Office by, that all the Officers have, and still do oppose it, and protest against it to this Day; so as there being only Propositions

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An. 22 James I. 1624. without Reſolutions, and no ſettled Rule of Eſtabliſhment and Direction, why ſhould the Lord Treaſurer be bound to keep it? Or why the Breach thereof be made his Fault now, when it was broken and neglected in his Predeceſſor's Time, who was then the only proper Officer to have put it in Execution, the now Lord-Treaſurer being but one of the Propounders of it?'

'Notwithſtanding, he humbly conceives, and hopes to prove clearly, that there hath been no ſuch wilful Negligence as is alledged; for tho' it be true, that the Officers of the Ordnance, always oppoſing that Book of the Commiſſioners, would never ſue out the two Warrants thereby required, the one of 13,640 *l.* 14 *s.* 2 *d.* for Supply of the Stores, and the other of 3000 *l.* *per Annum* for the Ordinary; yet there have been other Privy Seals of the ſame Nature ſued out, whereupon hath been iſſued to that Office, ſince that Book of the Commiſſioners was delivered, as follows, *viz.* for the Supply of the Stores, 11,096 *l.* 17 *s.* 6 *d.* which Sums want not much of the Commiſſioners Preparations, conſidering that the ordinary Quarter-Books are yet unpaid for a Year and a Quarter; all which argue no wilful Negligence in the Payments, howſoever the Officers have diſpoſed of the Monies; nor any great Unfurniſhing of the Stores, which, if they have leſs Proportion of ſome Stores of Proviſions than were ſet down in the Commiſſioners Books, yet they have more of other Stores of Proviſions, which have ſince been thought more uſeful and more neceſſary.'

As to what concerns neglecting the Supplies for Gun-powder, the Lord-Treaſurer ſaith, 'That the Bargains with *Evelyn* were made in the Lord *Mandeville's* Time, who continued in the Office the firſt five Months after; in which Time *Evelyn* ſerved in Powder for the firſt three Months; but, getting no Money for it, made a Stop of his Delivery, according to the Liberty of his Contract: So that the ſame was broken in the Lord *Mandeville's* Time, and left wholly in Diſtraction to the now Lord-

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Treasurer, with a Debt for three Months Powder, delivered as aforesaid; his Predecessor not paying one Penny upon that Contract in all that Time.' An. 22 Jacobi 1624.

'Neither did that Bargain with *Evelyn* suffer any small Interruption, by the continual Complaints stirred up against him by Mr. *Sadler*, and new Propositions made by him for settling the Powder-making otherwise; whereby *Evelyn's* Contract stood under Question, and both the Lord Treasurer, and Mr. Chancellor, and the Commissioners of the Navy, had several Times the Trouble to examine the same; the Lord Treasurer having a Purpose to bring *Evelyn* to Account for the Profit, made by him, of the Surplusage of the Price of the Powder put to Sale: By this Means, and by reason of other Mishaps, of blowing up the Powder-Mills by Fire, *Evelyn* grew discouraged; and the Service was neglected, till *Sadler's* Suggestions were found frivolous, which was near a Year's Interruption of the Service.'

'Besides, when the Lord Treasurer entered, he found in the Stores but one hundred and sixteen Lasts odd hundreds of Powder; and, the 20th of *March* last, he left in store above one hundred and forty one Lasts, notwithstanding the great Expence of Powder, upon Extraordinaries, in the now Lord Treasurer's Time, which also might have been one hundred ninety four Lasts, if the Lord *Mandeville* had settled and maintained the Contract in his Time, by Addition of his five Months Provision, and the three Months which he left the now Lord Treasurer to pay for; whereas the whole Proportion of Gun-Powder, assigned by the Commissioners of the Navy's Book to be in store, was but one hundred and forty three Lasts of Power; and good Reasons given wherefore there should be no more.'

'*Lastly*, It will appear, by comparing the Quantity of Powder, paid for by the now Lord Treasurer, with the Time before, that his Lordship had paid for as much, in this short Term of two Years and a Half, as hath been paid for in the next seven Years before; so, as never, in the King's Time,

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An. 21 James I. 1624. were the Stores so well furnished with Powder for Quantity and Goodness, as they are now; and yet never more want of Money in the Exchequer these twenty Years, than hath been in the now Lord Treasurer's Time.'

To the last Article of the Charge, about the Bargain for the Land which was Sir *Roger Dallison's*, the Lord Treasurer saith, 'That he hath not made any unlawful Bargain for the Lands of the said *Dallison*; neither hath he paid for the said Lands with making of Baronets, or freeing Copyholders, or any other Suit to the King, as by that Article is pretended; but hath really paid for the same in Money and Money's worth, out of his own Estate, to the full Value of the Lands and more: And, for more full Declaration of the Truth, he saith, That the said Sir *Roger Dallison* being indebted to the King in 13,062 *l.* 4 *s.* 10½ *d.* whereof Sir *Thomas Mounson*, his Surety, was found Debtor 3100 *l.* the said *Dallison's* Lands were extended for 9962 *l.* 4 *s.* 10½ *d.* thereof, and the said Sir *Thomas Mounson's* Lands for the said 3100 *l.* and these so extended, together with the said several Debts, were granted by his Majesty's Letters Patent the 20th of *July*, 18 *Jacobi Regis*, unto *Francis Morrice*, and other Officers and Creditors of the Ordnance, for 13,062 *l.* owing to them by his Majesty; with a special Command to the Lord-Treasurer and Chancellor of the Exchequer, to make out such Writs and Process for the said Debts as should be required; and, with a Covenant on the King's Part, that if, by reason of Incumbrances, they could not receive the same in convenient Time, then it should be paid unto them out of the Exchequer.'

'These Lands of the said Sir *Roger Dallison's* were so incumbered by former Charges, that the said Officers and Creditors of the Ordnance could not raise, by the said Extent thereof, near so much as the bare Interest of the said 9962 *l.* 4 *s.* 10½ *d.* Parcel thereof, and therefore did not conceive how it could give Satisfaction unto them for the said 9962 *l.*

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9962 *l.* due Debt, long forborne; but that they must of Neceſſity have Recourſe to his Majeſty again for their better Satisfaction, according to his Majeſty's Covenant contained in the ſaid Leaſe, made unto them in that Behalf; and yet there was nothing allowed to relieve the poor diſtreſſed Lady of the ſaid Sir *Roger Dalliſon* and her Son: whereupon the now Lord Treaſurer, in *July*, 1621, being then but one of his Majeſty's Commiſſioners for his Debts, was made acquainted by the ſaid *Francis Morrice*, and other the ſaid Officers and Creditors of the Ordnance, of their Intent and Purpoſe; and, being willing to do his Majeſty the beſt Service he could therein, after divers Conferences, did come to an Agreement with them for their Intereſt in the ſaid Extents, and to make them Payment of the ſaid 13,062 *l.* for the ſame, as follows, *viz.* 1062 *l.* before the laſt Day of *November* following 1621, and the reſt by 500 *l.* every ſix Months, at and after the Annunciation, 1623: After which Agreement made for the Extents, he not perceiving how he could make any Uſe thereof, unleſs he compounded alſo with ſuch as had the Inheritance and other Eſtates in the ſaid *Dalliſon's* Lands, did deal with ſome of them for the ſame; and then came to a ſecond Agreement with the ſaid *Francis Morrice*, and the reſt of the Officers and Creditors of the Ordnance, to convey to them an Eſtate, which he then had for nine or ten Years to come, in the Petty Farms of Currants and Wines, of the yearly Value of 1400 *l.* (and worth 7000 *l.* and more, to be ſold) which he did grant, and they did accept in full Satisfaction of the ſaid 13,062 *l.* 4 *s.* 10½ *d.* and for their Intereſts in the ſaid Extents accordingly.' 4a. 22 James I. 1624.

'Not long afterwards, the Lord Treaſurer, being deſirous to free himſelf of any further Trouble or Care, by reaſon of many other the Incumbrances which were upon the ſaid Lands, did, in or about *November*, 1621, agree with Sir *Arthur Ingram*, to deliver the ſaid Lands, with other Lands then of him the ſaid Lord Treaſurer, in the County of

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An. 22 James I. 1624. *York*, unto the said Sir *Arthur Ingram*, in Exchange for other Lands of his, and to give unto him 9000 *l.* in Money, for the compounding and freeing the said Estate and Incumbrances, which were upon the said Lands, late *Dallison's*, and of a Lease he had of one *Anthony Meers*, of other Lands intermixt with the said *Dallison's* Lands, esteemed of the yearly Value of 400 *l. per Annum*; of which 9000 *l.* the said Lord Treasurer, afterwards, in *February* and in *March* 1621, by the Consent of the said Sir *Arthur Ingram*, did pay unto Sir *Thomas Mounson*, Knt. for his Interest in *Dallison's* Lands, the Sum of 3000 *l.* besides the freeing of his the said Sir *Thomas Mounson's* own Lands of the said other Extent, for the said 3100 *l.* and all the Residue of the said 9000 *l.* he the said Lord Treasurer hath paid and satisfied, as it hath been required by the said Sir *Arthur Ingram* accordingly; which said several Sums of 7000 *l.* and 9000 *l.* amounting together to 16,000 *l.* and more than the said Lease and Lands are worth, at and from the Time of the said Agreement for the Exchange, so made between the said Lord Treasurer and the said Sir *Arthur Ingram*: And thereupon the Lady *Dallison*, and Sir *Thomas Dallison*, her Son, upon a Composition made with them by the said Sir *Arthur Ingram*, did, in *February* 1621, make an Assignment of the said Lease, to certain Persons named by the said Sir *Arthur Ingram*, in trust for his Use; and, since the said Agreement and that Time, the Lord Treasurer had no more to do therein than as the Duty of the Place requires, and (as he hath been advised by his Majesty's learned Counsel) convenient and fit to be done on his Majesty's Behalf: And therefore, as touching the rest of the said last Charge, That the Lord Treasurer having agreed with Sir *Thomas Dallison*, and the Officers of the Ordnance, he, to gain, indirectly, and by oppressive Means, an Estate which Sir *Roger Dallison* had passed to Sir *Richard Smith* and Sir *John Davy*, did set on Foot an Outlawry of Sir *Roger Dallison's*, and thereby dispossessed Sir *Richard Smith* and Sir *John Davy*, who had been in Possession, by

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by a Trial at Law, using the Power of his Place, and Countenance of the King's Service, to wreſt them out of a Leaſe and Eſtate of great Value, the Lord Treaſurer ſaith, The ſame is wholly miſtaken; and that the Truth is, That the ſaid Sir *Richard Smith*, having a Conveyance of all the Freehold Lands which were the ſaid Sir *Richard Dalliſon's*, in *Scotten*, as a Mortgage for Payment of 1300 *l.* and the ſaid Sir *John Davy* having an Aſſignment of the ſaid Leaſe, as a Mortgage for the Payment of 600 *l.* by Year, for ten Years, upon a very hard Contract for Money, he the ſaid Sir *Richard Smith*, long before the ſaid Treaſurer had any thing to do with the ſaid Lands or Leaſe, was diſpoſſeſſed of Freehold Lands, by virtue of the ſaid Extent, for the King; and, after ſuch Time as the ſaid Lord Treaſurer had ſo bargained and agreed with the ſaid Sir *Arthur Ingram*, and had left the ſaid whole Buſineſs to him as aforeſaid, it was found that the ſaid Sir *Roger Dalliſon* ſtood outlawed, after Judgment, at divers ſeveral Men's Suits, whereby the ſame Leaſe and Intereſt was in his Majeſty; by Means whereof ſome Difference grew between the ſaid Sir *Richard Smith*, Sir *John Davy*, and the ſaid Sir *Arthur Ingram*, which the ſaid Treaſurer uſed the beſt Means he could to reconcile; and, to that end, endeavoured to have the ſame arbitrated and ended by Sir *Thomas Savage* and Sir *Nicholas Forteſcue*, Knights: But their Travel and Pains therein taking no Effect, after ſome Suits in the Prerogative Court, the Exchequer, and Common Pleas, between Sir *Richard Smith*, Sir *John Davy*, and Sir *Arthur Ingram*, in Concluſion (by and with the Conſent of all Parties) the ſaid Differences were heard and ended by Sir *Henry Hobart*, Knight and Baronet, Lord Chief Juſtice of the Common Pleas, and by the reſt of the Juſtices of the ſame Court; by whoſe Mediation and Order, there is to be paid to the ſaid Sir *Richard Smith* and Sir *John Davy*, in ſatisfaction of their Eſtates and Intereſt in the ſaid Lands and Leaſe, over and beſides other great Sums of Money by them formerly received, the

An. 22 James I. 1624.

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An. 22 James I. 1624. Sum of 3000*l.* And touching the Charge of the Contract, about paying the 8000*l.* old Arrears, the Lord Treaſurer ſaith, That all the 8000*l.* was not old Arrears, as is pretended, for that 3,800*l.* thereof was then newly due by Quarter-Books, for certain Quarters ending at *Midſummer*, the next before the ſaid Year of our Lord 1621. And alſo ſaith, That his Promiſe therein was made before he became Lord Treaſurer; and that Promiſe was but to do his Endeavour to get the 8000*l.* paid; the ſame being a juſt and due Debt owing to about 100 poor Families, whoſe preſſing Neceſſities would have forced him, after he came to the Place of Treaſurer, to have given them Satisfaction, if he had made no ſuch uncertain Promiſe before; and the ſaid Debt was paid at thirteen ſeveral Times, by ſeveral Portions, as Money could be beſt ſpared, between *March* 1621, and *May* 1623; and the King's Majeſty was ſo far from being prejudiced by the Lord Treaſurer's Dealing in this Bargain, that his Majeſty was thereby eaſed from the repaying of the ſaid 13,062*l.* 4*s.* 10½*d.* according to the ſaid Covenant: And, to make it appear that no Oppreſſion or Power was uſed in this Purchaſe, for any private Benefit, or otherwiſe, nor that the ſame was paid for by making of Baronets, and Suits to the King, as is pretended, the ſaid Treaſurer will undertake, and freely offereth, that the Lands ſhall be conveyed again to whom this Honourable Houſe ſhall appoint, upon Payment of the ſaid 9000*l.* and reaſſuring of his ſaid Leaſes and Intereſts in the ſaid Petty Farms, with Repayment of the Monies received upon the ſame. It being alſo apparent by his Declaration, That if any ſuch Suits, Oppreſſions, or other hard Meaſure, had been offered touching the ſaid Lands or Leaſe, as is alledged in the ſaid Charge, the ſame were no Way done by the Lord Treaſurer, or by his Privity or Direction, or whilſt the ſaid Lands remained in his Hands, which was not for above five Months; ſo as the ſame can in no Manner concern the Lord Treaſurer, neither doth

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doth he know of any thing done therein by any other, but what hath been juſt and lawful.' An. 22 Jacobi I. 1624.

'And as to the Baronets, the ſame nothing at all concerneth this Matter; but was a Grace of the King's Majeſty, (upon the Suit of a Nobleman, who was aſſiſted by the Lord Treaſurer) which he was pleaſed to confer upon Sir *Thomas Mounſon*, in regard of the Loſs of his Office of Hawkes; and the ſame taking no Effect, his Majeſty, upon the ſaid Sir *Thomas Mounſon's* late Petition, was pleaſed, in lieu of the Baronets formerly intended him, to grant another Suit for the compounding with certain of the Copyholders in *Wakefield*, for the Value of 50 *l.* by the Year; whereof as yet he hath received no Fruit at all.'

The HUMBLE ANSWER *of the ſaid* LORD TREASURER *to the Addition of his* CHARGE *received from the Moſt Honourable Court of the Higher Houſe of Parliament, on* Thurſday *the* 29*th of* April, 1624.

TO that Part which concerns him, as he was Maſter of the Great Wardrobe, the ſaid Treaſurer ſaith, 'That he held that Office for the three Years mentioned in the Charge, and that, within that Time, he did receive the ordinary Aſſignment of 20,000 *l. per Annum*, or thereabouts; wherein, he conceives, he did no ill Service to the King when he did reduce the vaſt Charge of that Office to 20,000 *l. per Annum*; and, by three Years Experience, to ſhew his Majeſty the Means how that 20,000 *l.* might be again reduced to 12,000 *l.* which, he conceives, is no Argument that he hath brought that Place to any Diſorder or Confuſion, as, in a Generality, is objected.' The Lord Treaſurer's Anſwer to the additional Articles of his Charge.

'It is true that he made no Account, for his Time, neither for the Wardrobe, nor for the Queen's Funeral; neither was there any Cauſe why he ſhould ſo do, for that, by his Majeſty's Contract with him for the Wardrobe, he was to diſcharge the ordinary Charges thereof for 20,000 *l.* at his own

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An. 22 James I. 1624. own Hazard; and, for the ſaid Funeral, having Warrant, by Privy-Seals, to receive 20,000 *l.* he received but the Sum of 13,500 *l.* and yet ſaved ſome Part thereof, beſides what he yearly ſaved upon the ordinary Allowance of the Wardrobe: With all which Savings he, from Time to Time, truly and particularly, acquainted his Majeſty, not being willing to gain ſo much by the ſame as he found he did, without his Majeſty's Privity and gracious Allowance; who, being rightly and truly informed of all the Particulars, did, upon the ſaid Lord Treaſurer's voluntary ſurrendering of that beneficial Contract for the Wardrobe, for Advancement of his Majeſty's Service, having therein an Eſtate for his Life, grant him a general Releaſe and Pardon, by Indenture under the Great Seal of *England*, for all Matters concerning the ſaid Office of the Wardrobe and Funeral aforeſaid.'

He further ſaith, 'That, in the Time of his being in that Office, he paid divers extraordinary Sums, which were not within his Bargain, upon ſeveral Warrants and Privy Seals; as, 3000 *l.* to the Earl of *Carliſle*, about 2000 *l.* for new-furniſhing *Ely* Houſe for the *Spaniſh* Ambaſſador, above 1000 *l.* for a new rich Barge-Cloth, and other extraordinary Diſburſements of about 1000 *l.* more; for all which, amounting to 7000 *l.* or thereabouts, he never yet received, or demanded, any Allowance; and, if any Man hath any thing owing to him, in the Time that the ſaid Lord Treaſurer was Officer, (as he is well aſſured there is none, except ſome ſmall Remains upon the Foot of ſome private Reckonings) the ſame are no way chargeable upon the King; the ſaid Lord Treaſurer being their proper Debtor, and bound, by that Indenture, to diſcharge the ſame, which he hath been ever ready, upon their Demand, to do accordingly; it being acknowledged by the Creditors of the Wardrobe, that they have been better paid and uſed in his Time, than either before or ſince. And, concerning the Charge, of his not duly ſerving the Lord Chamberlain's Warrants for Supplies, it may well be

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be that ſome few Parcels, in ſome Warrants, which could not then be ſuddenly provided, were, upon that Occaſion, or by ſome Fault or Negligence of his Servants, truſted in that Buſineſs, left unſerved: But that neither hath been, is, or ſhall be, any Loſs to the King; for he acknowledgeth it to be juſt and fit, that he ſhould provide and furniſh the ſame at his own Charges; tho' the Neglect of that little is no great Matter, conſidering he has diſburſed ſo much for his Majeſty in Extraordinaries, as aforeſaid, for which he never yet had any Allowance.' An. 22 James I. 1624.

'To that Explanation of the former Charge, concerning his not repaying the Merchants the Impoſts due unto them, upon the Exportation of Sugars formerly imported, according to his Majeſty's Letters Patent, of the 5th of *September*, 1610, the Lord Treaſurer ſaith, That the Uſage in that Particular is ſuch now, as hath been ever ſince the Impoſt was firſt laid, without any Alteration by him, or any for him, in his Time; neither did any Merchant bring his Certificate, and make his Demand for that Allowance, according to the Form preſcribed by theſe Letters Patent, as the Lord Treaſurer is informed by thoſe that farm the Impoſts of him: And therefore there could be no Denial when there was no Demand made. And, beſides, this is ſo far from being a Matter of Benefit to the Lord Treaſurer, that the Farmers of the Impoſt under him (who ſhould have that Profit, if there be any) have been, and are willing to give the Merchants Content in their Deſire, if they will petition his Majeſty, and ſue out a Privy Seal to warrant it; without which, it hath ever been underſtood, it could not be done in reſpect to the King's Intereſt therein, and in regard it never hath been allowed heretofore.'

'All which the ſaid Lord Treaſurer doth averr to be true in all Points, and ſhall be ready to juſtify and maintain the ſame, in ſuch Manner as this Honourable Court ſhall award.'

MIDDLESEX,

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An. 22 James I. 1624. After these Affairs were all read, the Lords received a Message from the Commons, along with five Bills, importing, 'That they desired a Conference with their Lordships, on the Subject of two other Bills, then before them; and, at the same Time, they presented a Petition to the House from divers Merchants, whose Names are thereunto subscribed, containing a Complaint against the Lord Treasurer, for an Imposition on Hops; which Complaint they humbly referred unto their Lordships, and compared the same with an Imposition laid on *French* Wines, even when their Merchandize was in the River of *Thames*: And affirmed that this had doubled the Oppression on the Merchants; for that the Archduchess, out of whose Country the Hops came, did thereupon lay new Impositions upon the Manufactures of this Land. Lastly, The Commons conceive, that this new Imposition on Hops was laid, without any other Warrant than the Lord Treasurer's Letter.

This Petition from the Merchants was ordered to be read, and was contained in these Words:

To the Honourable Assembly of the Commons House of Parliament.

The HUMBLE PETITION of sundry MERCHANTS whose Names are here under subscribed,

The Merchants Petition against him.

MOST *humbly shew, That whereas, in the Reign of the late Queen* Elizabeth, *continually, and until the second Year of the King's Majesty's Reign that now is, Hops were rated for the Custom thereof at Twelve-pence* per *every Hundred Weight. Afterwards, in the Time when the Earl of* Salisbury *was Lord Treasurer, there was imposed on Hops Six-pence upon every Hundred, which was done by Consent of the Merchants; which said Custom and Impost hath continued so until* October 1622.

At the Time, when your Petitioners, and others, had brought into this Kingdom, and into the River Thames, *great Quantities of Hops, the now Lord Treasurer wrote his Letter to the Custom-House, That*

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That no Entries of any Hops should be taken till further Order from him; so that your Petitioners Hops lay long in Ships and Lighters, to their great Charges, and Damage of the said Hops; which was done without your Petitioners Knowledge, they nothing mistrusting any such Composition; so that before your Petitioners could be suffered to take up their Goods, they were forced to pay ten Shillings for every Hundred of Hops, over and above the Duty and Impost aforesaid. An. 21 James I. 1624.

That divers Strangers of Flanders, and others, have received up their Goods upon Bonds, by reason of the Archduchess's Ambassadors; but divers of them have not yet paid their Monies, nor entered to pay, as they themselves have given forth in Speeches; notwithstanding the Petitioners, most of them, were forced to pay in their Monies, without any Favour, to their great and intolerable Loss and Hinderance; and others have entered into Bonds for the same, which are yet in Force.

That, by reason of the said Impost, so exacted from the Petitioners, and others, as aforesaid, there was a great Impost laid on in Flanders, in the Archduchess's Country, from whence the said Hops came, upon Fustians and other of our native Commodities; which have been to the great Loss of the Petitioners, and to the great Hurt and Prejudice of the Common-Wealth in general, and of no Benefit to his Majesty for the present; for that, since this great Imposition, there hath not come hither the twentieth Part of those Commodities as formerly.

The Petitioners humbly intreat the Honourable Assembly to take Consideration of the Premisses, and to be a Means unto his Majesty that the said Petitioners may be repaid the said Money so exacted; and that the Impost upon the Hops as aforesaid, which are still continued, may be reduced unto the former Rate of Eighteen-pence upon every Hundred Weight of the said Hops; whereby your Petitioners may be the better enabled to continue their Trade, which otherwise they must of Necessity desert. And further, that their Bonds, formerly entered into, may be re-delivered unto them to be cancelled.

May

An. 22 James I. 1624.

May 3. After some other Business done by the Lords, another Petition from the Lord Treasurer was exhibited to that House, and read in these Words:

To the Right Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

The Lord Treasurer's Petition for Copies of the Depositions against him.

THE Lord Treasurer doth herewith most humbly present to your Lordships such Interrogatories, concerning the rest of his Charge, as he humbly desires his Witnesses may be examined upon; as well those formerly delivered to the most Honourable House, as those whose Names he now humbly presenteth to that Purpose hereunder written.

And since your Lordships have appointed Friday *the 7th, peremptorily, for the Hearing of his Cause, his most humble Suit is, To know the Pleasure of this most Honourable House, concerning the Copies of the Depositions, if he may receive them in some convenient Time before, whereby to prepare himself for his just Defence against the Day appointed.*

MIDDLESEX.

The Names of the Witnesses annexed, and the Interrogatories being also read, it was ordered, That the Lord Treasurer should have Copies of all Depositions, taken on his Part, two Days before the Hearing. The Lord Keeper moved the House 'To consider of the Lord Treasurer's former Petition for Copies of the Depositions concerning him, which were denied because they were unseasonably prayed, his own Witnesses not being then examined; and whether their Lordships will not now think it fit that the Lord Treasurer shall have Copies of all Depositions before his final Answer; and the rather, because this may prove a leading Case to Posterity.'

The Lords referred the Consideration thereof unto the Lords Committees for Privileges, &c. who being withdrawn upon it, and returned, they gave in their Answer, as fit to be entered for an Order.

That

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That in all Cases it is thought fit and just, that Publication be made a reasonable Time before the Party accused make his final Answer; and that, after Publication, he may have Copies, freely, of all Witnesses, as well against him as for him. An. 22 Jacobi 1624. Which is granted.

May 4. This Day, amongst other Business, his Royal Highness the Prince signified to the Lords, 'That his Majesty's Pleasure was, the whole 'House should wait on him, To-morrow at Two, 'in the Banqueting-House at *Whitehall*. And,

May 7. The Lord Keeper, removing from his Place to his Seat on the Earl's Bench, made a Report to the Lords of his Majesty's Speech to them, on *Wednesday*, the 5th of *May*, in the Afternoon: But because the said Speech, he said, was inimitable, his Lordship desired that he might read the same, which he did; and afterwards the Clerk read it also in these Words:

His MAJESTY'S SPEECH at *Whitehall*, to the Upper House of Parliament, *May* 5, 1624, concerning the LORD TREASURER.

MY LORDS,

OF Mercy and of Judgment both, my Lords, my Speech shall be unto you. There is a great Officer of mine shortly to come before you, accused of divers Misdemeanors. I am the Judge in whose room you are to exercise Judgment; for as I am under God in this Throne, so you are under me: Therefore I have been desirous that I might open myself unto you, anent this Matter and Occasion; and, as I have once said in a Parliament before to you, so will I promise to shew you, as in a Crystal, my Heart out of my Mouth, in such sort as no false Heart or Tongue shall be able to blemish what I shall represent unto you (e). The King's Speech to the Lords concerning the Lord Treasurer's Trial.

It is my Judgment, next under God, which you are to exercise at this Time; and therefore, as a Judge instructs the Jury before the Prisoner departs from the Bar, so it becomes me to tell you how to carry your-

selves

(e) *Anno Regni* 5. Vol. V. p. 1854.

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An. 22 James I. 1624. *yourselves in this great Business; and the Cause hereof is this, because I am bound in Conscience to be careful of your Carriage herein; for, if your Judgments should fall contrary to my Approbation, I protest to God it would be a great Misery to me, and a greater Grief unto your Hearts.*

Before the last Parliament, I never saw any Precedent of this Nature: In the last, against another great Officer of mine there needed no Admonition from me, because ye had Reum Confitentem; *in this the Party stands upon his Justification; and therefore ye have more Need to take and examine it well. There is no Doubt at all of your doing Justice; you are most of you nobly born, the rest are noble by their Places; you are the most honourable Jury of* England; *nor do I intend further to instruct you, than to give your Eyes, many Eyes see more than one, some Light into this Matter. No King is the worse for the Advice of his Council, nor shall you be for receiving my Advice and Instruction.*

In all Matters of Tryal where are Denials, two Things are specially to be considered, the Verity of the Fact, and Greatness of the Guilt.

For the first, You cannot be too diligent in the Search of the Verity of the Fact; for Satius est Reum dimittere quam Innocentem damnare.

For the second, You are to consider duly the Quality of the Offence; for, if your Punishment be far inferior to the Crime, it is an Invitation to commit new Offences. And, if it be over and above the Offence, it is plain Injustice and Tyranny: Therefore, your Punishment must be ever bounded in Measure and Moderation, according to the Quality of the Offence. You will do, I am sure, what a Jury doth, for you have taken a greater Oath than they; you have sworn, upon your Honour, to me; by your Conscience, towards God.

And here I shall give a Touch of two Things; first, I shall speak of the Person of the Man, and then of my Opinion of the Course which you are to hold in your Judicature at this Time.

For

For the Person of the Man; the first Acquaintance that I had with him was by the Lord of Northampton, *(who is with God) who often brought him unto me a private Man, before he was so much as my Servant. He then made so many Projects for my Profit, that* Buckingham *fell in Liking with him, after the Earl of* Northampton's *Death, and brought him into my Service. For I profess it here openly, and I am glad he is not by to hear me, That, besides him, I never saw young Courtier that was so careful for the King's Profit, without any Respect, as* Buckingham *was. He found this Man so studious for my Profits, that he backed him against great Personages and Mean, without sparing any Man.* Buckingham *laid the Ground and bare the Envy; he took the laborious and ministerial Part upon him, and thus he came up to his Preferment.* An. 22 James I. 1624.

I was deceived if he was not a good Officer; he was an Instrument, under Buckingham, *for Reformation of the Houshold, the Navy and the Exchequer;* Buckingham *setting him on, and taking upon himself the Envy of all the Officers. And he himself protested many a Time to me, That he had not been able to do me any Service, in the ministerial Part, if* Buckingham *had not backed him in it. Hereupon I thought him the fittest Man for this Place; he had seen before the Abuses in the Exchequer, in the Navy, and in a thousand other Particulars.*

I must therefore put you in mind of one Thing, and Justice forceth me so to do: He cannot but have as many Enemies; all Treasurers, if they do good Service to their Masters, must be generally hated, as Monsr. Rosney *was in* France. *And a Treasurer cannot oblige me more, than when I find Suitors beg from me, and pray me not to send my Reference to the Treasurer, because he gives them no good Answer.*

Two Kinds of People are continually hated in Court, Treasurers and Ushers; because this latter must of Necessity put Disgraces upon Men, and the Treasurers must keep the King from Importunity of many Suitors. I pray judge not by the Affections of the People, nor by the Hatred of the People; you must avoid both

An. 22 James I. 1624. *these; and therefore Judges of old were painted blind.*

The second Thing I recommend to your Consideration is, That you look upon a sound Trial, so that the Offence be clear; and, in the next Place, when you find a Cause of Punishment, let it be within and not without the Limits of his Desert.

Now I shall recommend to you some Generals; not for his Respect or Particular, but my own, my Son's and Posterity's, and your own, my Lords, whose Part God knows when it may fall unto. Let no Man's particular Ends bring forth a Precedent, that may be prejudicial to you all and your Heirs after you; Precedents there are none of many Years, before this and the last Sessions. The Informers are the Lower House, and the Upper House are the Judges. If the Accusation come in by the Party wronged, then you have a fair Entrance for Justice; if by Men that search and hunt after other Men's Lives, beware of it, it is dangerous; it may be your own Case another Time. No Man can stand upright before God and Man, if every Act of his should be enquired after, and haunted out by every Man, though it concerns him not.

The main Ground in an Information is this, The Party complaining should say, This Wrong he hath done me; if he hath corrupted Judicature in Judgment, or taken a Bribe to the Hurt of the Innocent; if, in Extortion, he hath wrested, by Violence, from the Party; here is a just Ground for an Accusation. But for every busy Fellow to turn Inquisitor is a Thing insufferable; how far it falls thus, in this Particular, I know not. Bribery, as I would define it, is where a Judge receives a Reward against the Innocent; Extortion is done, when Money is wrung from the Subject by the Greatness of a Man's Power, and by the Denial of Justice; Misdemeanor is, when a Man abuseth his Place, and oppresseth the poor Subjects. I have discussed this Point, and I do not doubt but, when he comes before you, you will hear him with Temper and Patience.

Now, my Lords, I speak for Justice; if this Party have done so, after such an Example shewed the last Session, his Fault is double; for he came in upon a Reformation, and he discovered the Corruptions of others. This I would say to you, if I was to die this Hour: Errors by mistaking, God forbid that you should be rigorous in censuring them; but Errors that are wilful, spare them not. An. 22 James I. 1624.

Some curious Men may say, peradventure, he might, in some Points, have done better; but this is not criminal in him: But if, by Deceit and Cozenage, by helping himself, he hath hindered my Estate, he is worse than a Devil. Treasurers cannot be barred from seeing, and the King's Liberality no Man can controul. If he hath helped himself, with the King's Love, I speak not for him.

Lastly, there are divers Things laid to his Charge, which were done with my Knowledge and Approbation; let him bear no Charge for that, for that is mine, and I must bear it. For if you question him for any such Thing, you punish me; if any thing touches upon him in that Kind, either meddle not with it, or stay and know the Verity from me. I love my Servants, God is my Witness, but it is only for Virtue's Sake; and he is an unhappy Master that doth not love a faithful Servant. But, if there appear in any of them Falshood and Treachery, and Deceit under Trust, my Love is gone. If, of an Angel, he become a Devil, I will never excuse him: I will never maintain any Man in a bad Cause.

The Report of the King's Speech being made, which seems to serve as an Introduction to the Trial, the Lord Keeper observed further, 'That his Majesty said, he did not deliver this Speech out of any Suspicion of their Lordships, but only in Discharge of his Duty and Conscience.' Which the House ordered to be entered.

The Lord Treasurer being to appear this Day at the Bar, it was first agreed, That when his Lordship came he should kneel. And being brought to the Bar, by the Gentleman Usher, not having his

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An. 22 James I. 1624.

Staff in his Hand as Lord Treasurer, he kneeled until the Lord Keeper willed him to stand up. Then Mr. Serjeant *Crew* came to the Clerk's Table, and opened the Charge against him to this Effect:

The Lord Treasurer brought to the Bar;

Where the Attorney General opens the Charge against him as Master of the Wardrobe.

THE Commons of *England*, being the general Inquisitors of the Sores and Grievances of the Kingdom, have presented their Complaint against this great Lord and Officer; whereof, and of other Misdemeanors, their Lordships have before taken Cognizance. That he is to charge him, the Lord Treasurer, with Violation and Breach of Trust, in defrauding the King who trusted him; and with Bribery and Oppression.

'That he would begin with his Lordship's Misdemeanors in the Office of the Wardrobe; and shew, That, heretofore, that Office being very expensive to his Majesty, by reason of the Charge and Provision of the King's Majesty, for the Queen, for Prince *Henry*, the Queen of *Bohemia*, and the Prince's Highness that now is, he, the said Lord Treasurer, informed his Majesty of the Greatness of his Charge, and that he would save his Majesty a great Part thereof; whereupon he procured the Office to himself; but he stood charged with nothing, save the ordinary Provision for his Majesty.'

'He is made Master of the Wardrobe, *Sept.* 14. *Anno* 16 *Jac. Regis.*

'And, *Dec.* 26. *Anno* 18 *Jac.* the King reciting, 'Whereas we had certain Notice that Sir 'Lionel Cranfield, in the Execution of the said Office, hath so directly and carefully performed the 'said Trust, in that Behalf committed to him, as 'that, by the small Time of his Service there, great 'Sums of Money have been, and are likely, yearly, to be abated, in comparison of former Expences therein for some Years past; and also that, 'by the Continuance of his Care and good Endeavours in the said Service, our former great yearly 'Expence of the Wardrobe hath been reduced 'within the Sum of 20,000 *l.* and yet with the 'Main-

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'Maintenance of the former State thereof: And 'that of 20,000 *l.* assigned for the Queen's Funeral, he had received 15,500 *l.* and no more; and 'that the said Sir *Lionel*, by his discreet and careful 'Performance of that Trust, hath, with the said '15,500 *l.* discharged the said Funeral honourably, 'and in such Sort as was requisite, and hath brought 'the said Charge within the Sum of 15,500 *l.* and 'yet there were black Cloths and Stuffs to the Value of 2000 *l.* or thereabouts, and some Part also 'of the said Money saved:' The King, thereupon, grants him all that he had saved of 20,000 *l.* for the Year ended at *Michaelmas*, 1619, and for another Year ended at *Michaelmas*, 1620, the ordinary Charges deducted; for which Sums he agrees to discharge the ordinary Charge of the Wardrobe; and the King grants the black Cloths, Stuffs, and Monies unto the said Sir *Lionel*, remaining of the said 15,500 *l.* for the Funeral, for the Disbursements for the Ordinary of the Wardrobe, for which he was to account; but not for the Surplusage which he saved of the 20,000 *l.*' An. 22 James I. 1624.

'*Dec.* 27. *Anno* 18 *Jac.* the King makes the same Recital, *ut supra*; and, having given the Surplusage for two Years before, doth now continue it for Life, yearly at *Michaelmas*, upon his Account, for the Wardrobe, the necessary Disbursements deducted, and gives him the Surplusage without further Account.'

'*Jan.* 11. *Anno* 19 *Jacobi Regis*, the Lord Treasurer surrenders his Patent.

Note, He got, in these three Years, as shall appear hereafter, 8000 *l. per Annum*, and had 6000 *l.* given him at his Farewell. *In toto*, 30,000 *l.*'

'*Jan.* 18. *Anno* 19 *Jac. Regis*, the King pardons him all Sums of Money received by him for the Funeral or Wardrobe; and he covenants to discharge the King of such Debts as were due by him for the Wardrobe. By this it appears how the King trusts the Lord Treasurer, being Master

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Ad. 22 James I. 1624. of the Wardrobe, and what Expectation the King had of his extraordinary Service; that the Expences should be much abated and diminished, and yet the State of the Wardrobe maintained by competent and sufficient Supplies, and that what the Supplies were, should appear upon Account; and thereupon the Account was directed by the Patent.'

'And now see, my Lords, how the Wardrobe is brought into Confusion, and how far it is from the old State thereof; which, by the Patent of my Lord, should have been maintained.'

'And, in this, will appear unto your Lordships plainly,

Breach of Trust and Fraud.

'The Warrants to be served for the Wardrobe, came from my Lord Chamberlain, from the Master of the Household, and from the Groom of the Stole.'

'The Warrants and Emptions thereupon were usually, heretofore, entered in the Clerk of the Wardrobe's Books, that the Provisions and Particulars supplied might appear; but, in my Lord Treasurer's Time, no Warrants are brought in or entered; no Emptions entered, nor Book of Expences kept by the Clerk, as it ought to be.'

'The Clerk should have surveyed the Parcels; but could not, thro' my Lords Default; neither is there any Account made as ought to have been: And all this is contrary to the Patent, to the Prejudice of the King, and of the Officers and Workmen in the Wardrobe. And, to the end his Proceedings in that Office might not be discovered, this ensued further upon it, That the Warrants were served short, and many not served at all; those that were served, were base and ill, stuffed with great Delay and long Suit; and yet the Suitors for the same were slighted by my Lord and his Officers.'

'And although my Lord had his Money impressed to him, yet he made slack and slow Payments, with great Abatements of the Prices formerly allowed. And, at my Lord's departing from the Office, in *January*, *Anno* 19 *Jac.* he gets a Pardon for

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for all he hath received, without any Account, and obtained a Leaſe of the Sugars, for a Recompence of his Surrender of that Office." An. 22 Jacobi 1624.

Mr. Serjeant *Crew* having thus far opened the Charge; the Clerk, by his Direction, read the Depoſitions of Witneſſes taken here to prove the ſame, *viz.*

The Examination of Sir BEVIS THELWAL, *Knt. taken the* 26*th of* April, 1624.

Depoſitions and Examinations of Witneſſes thereupon.

He depoſeth to the firſt Queſtion, 'What Money 'was aſſured for Proviſions for the King's Service 'in the Wardrobe, ordinary and extraordinary, du- 'ring the Time the Lord Treaſurer was Maſter 'there? I ſay, that I cannot certainly inform your 'Lordſhips; for that the Warrants for the Empti- 'ons, that were uſually entered in the Clerk of the 'Wardrobe's Book, were not brought in at all by the 'ſaid Maſter of the Wardrobe, during the Time of 'my Service in the ſaid Office, as ſhould have been.

'For the ſecond Part of the Charge, Whether 'any thing were put upon the Extraordinary, 'which was heretofore uſed to be furniſhed upon 'the Ordinary? I cannot tell; for that there was 'no Account made by the ſaid Maſter of the Ward- 'robe, (which ſhould have been done) tho' he was 'very often ſolicited by me ſo to do, and ſeemed 'not to believe me, that he, by the Courſe of his 'Office, ought ſo to do; for that, as he ſaid, he 'had agreed with the King's Majeſty, at a certain 'Rate, to furniſh the Wardrobe.

'For comparing the Expences of the ſaid Lord 'Treaſurer, for Ordinary and Extraordinary, with 'the King only, with the Expences of former 'Times, I cannot make any direct Anſwer; for 'that the ſaid Maſter made no Account as he ought 'to have done.

'To certify how the King's Houſes were fur- 'niſhed during the Time the Lord Treaſurer was 'Maſter of the Wardrobe, and how much worſe

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An. 22 James I. 1624. than in former Times, I cannot certainly inform your Lordships.

'To certify the Charge of the Funeral of Queen *Anne*, I cannot inform your Lordships thereof; for that it was before my Time, and there was no Account made thereof, nor Entry thereof, as heretofore was wont to be.

'To certify whether all the Provisions of the Wardrobe, during all the Time the Lord Treasurer was Master thereof, are paid, I heard that divers of the Creditors are not paid; but how much is behind will best appear by the Examinations of the Creditors.

'For the Abuse of the Wardrobe, committed during the Time of the Lord Treasurer being Master there, I say, That he hath altered the Frame and Course of that Office, to the Prejudice of the King's Majesty, and the Artificers and Creditors that furnished the said Wardrobe; and, as I conceived, to the end his Proceedings in the said Office might not be discovered.

'And where there was some Doubt made by the said Master, of some Things concerning the said Office, I did endeavour to give him Satisfaction therein, but could not without the View of some Books of Accounts of the said Office, which, by his Direction, I brought unto him long since: These he commanded me to leave with him to peruse; but I could never have them again, though myself, and my Servant in that Office, very often attended and solicited his Lordship for them.

'For the Provisions to be employed in the said Office, by setting on Work of Arras-Men and Taylors, the ancient Use of that Office was, That the Clerk should take Account of all that was brought in, and keep the same, and see it employed for the King's Service by the said Workmen, and see what Time they began their Work and left it; but the said Master took away the Key of that Room where those Things were kept, and committed the same to one *Henry Ayres*, his Servant,

'who

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'who kept the same during the Time of his be- An. 22 James I. 1624.
'ing Master there; so as I could not perform the
'Service I ought to have done in that Behalf.
'For the Abuses of the Queen's Funeral, I can
'say nothing of my own Knowledge, for it was
'before my coming into the Office; but have
'heard that the Cloth that was provided by the said
'Master was bad, and much complained of by
'many.

BEVIS THELWALL.

Jo. Lincoln, C. S. *Theo. Howard.*
G. Cant. *Fra. Russell.*
Tho. Cov. & Litch. *Henry Danvers.*
Arthur Bath & Wells. *Robert Spencer.*

The Examination of CHARLES STANLEY, *Clerk to the said Sir* Bevis Thelwall, *taken the same Day.*

'An Estimate of the yearly Liveries paid by
'the Lord Treasurer, with Fees and annual Pen-
'sions, with the Arras-Menders and other Work-
'men's Pay, yearly payable out of the Great
'Wardrobe.

	l.	*s.*	*d.*
'Liveries by virtue of Letters Patent	35	0	4
'Liveries, by virtue of Warrants Dormant	2867	17	6
'Fees, Vestments, and annual Pensions	350	6	0
'Arras-Menders Pay, and other Workmen's Wages, with the Stuff for one Year.	540	0	9
Sum Total	3811	3	19

'As to what Monies was otherwise disbursed by
'the Lord Treasurer, for and towards the Charge
'and Expence of the Provisions of the Great
'Wardrobe, I know but in part; but the Credi-
'tors can best satisfy what several Sums they have
'received; and his Servants, *John Baron* and Mr.
'*Catchmay*

An. 22 James I. 1624.

Catchmay can best tell what Sums of Money were received for the Provision of the Great Wardrobe, and what was paid out; for they received all, and paid all, for ought I know.

'What Warrants he received I know not, nor what was furnished for them, either for ordinary Service or extraordinary; but his Man *Colbeck* should best certify who received the Warrants, and made the Provision of those Things that were served.

'For the furnishing of the King's House I know nothing; but the Keepers of the several Standing Wardrobes, and the Officers of the Removing Wardrobe, can best certify what was served by him.

'For the Funeral of the late Queen *Anne*, as I have heard, he had an Allowance of 20,500 *l.* which my Lord *Brook*, as I suppose, can best certify, who was then Chancellor of the Exchequer.

'And of 13,100 *l.* or near thereabouts, I know was, by him, disbursed for the said Funeral, and more I know not of; for that Part of the Provisions was provided by himself and Servants.

'For the Provision of Canvas, Leather, and Thread, with other needful Necessaries for the mending and lining of rich Hangings of Arras and Tapestry, which came from any of his Majesty's Houses to be mended or lined in Places defective: For the Charge thereof I can say nothing for these three Years; for, when he came first to be Master of the Great Wardrobe, he caused one *Henry Ayres*, his Servant, wrongfully, to take away the Key of the Store-house, wherein Provisions of Canvas, Leather, Thread, and other Necessaries, were kept, from the then Clerk of the Great Wardrobe; who yearly, with his Lordship's Predecessors, ever had the Custody and delivering out of all Necessaries, and kept an Account of what Suits of Hangings came to be mended, and what Necessaries was needful to be expended; and as *Ayres* had the serving thereof,

'in

in all this Time, so that an Account thereof could not by the Clerk be kept, according to the ancient Custom of that Office, the Lord Treasurer had digressed from the ancient Customs of that Office, and furnished Things himself, and served them without the Privity of the Clerk; who, according to ancient Custom, should have the View, with the rating and prizing of them, with an Allowance of all Necessaries served for his Majesty's Use, to be demanded by the Creditors, by virtue of Warrants signed by the King's Majesty; which my Lord Treasurer paid them without Warrant, by the Creditors own Bills, contrary to the ancient Custom of that Office; and which, till this Time, was ever, by all former Masters of the Great Wardrobe, observed, by having Warrants drawn every Half-Year. An. 22 James I, 1624.

CHARLES STANLEY.

C. Cant. — *Theo. Howard.*
Jo. Linc. C. S. — *Fra. Russell.*
Tho. Cov. & Litch. — *Henry Danvers.*
Arthur Bath & Wells. — *Robert Spencer.*

The Examination of JOHN BARON, *taken the 27th of* April, 1624.

The said Examinant saith, That while the now Lord Treasurer was Master of the Wardrobe, this Examinant did keep a Book, wherein were entered his Lordships Receipts and Payments, as well of such Things as concerned the Wardrobe, as for such as did otherways concern his Lordship. *And saith,* Because it was conceived his Lordship held that Office upon Certainty, therefore there was no Distinction made, nor certain Account kept of that which concerned the Wardrobe, divided from his Lordship's other Business. *And saith,* That the said Book is now in the Lord Treasurer's, and not in this Examinant's

An. 22 James I. 1624. ‘ nant's Cuſtody; nor hath been in this Exami-
‘ nant's Cuſtody for two Years and a Half-paſt.

JOHN BARON.

G. Cant. *Robert Spencer.*
H. Mandeville. *W. Say & Seal.*
Tho. Wentworth.

The Examination of RICHARD COLEBECK, *taken the* 26*th of* April, 1624.

The ſaid Examinant ſaith, ‘ That he ſerved the
‘ Lord Treaſurer in the Buſineſs of the Wardrobe,
‘ and that in all the Time his Lordſhip was Maſter
‘ of the Wardrobe, there were no Accounts made
‘ by his Lordſhip, nor kept for him, of the Ex-
‘ pences of the Wardrobe, neither were there any
‘ Book kept, wherein were entered the Expences
‘ of the Wardrobe; the Reaſon whereof was,
‘ becauſe this Examinant heard his Lordſhip was
‘ not to hold that Place upon Account; but, *ſaid*
‘ *this Examinant*, did buy Proviſions of Mercers
‘ and others for his Lordſhip, and then delivered
‘ ſuch of them as were to be delivered for the
‘ King's Uſe into the Wardrobe; and when the
‘ Mercers and others brought their Bills, he, this
‘ Examinant, preſented the ſame to his Lordſhip
‘ who took Order for their Satisfaction. *And*
‘ *ſaith*, He thinketh that ſome few are yet unſatis-
‘ fied in part; as, namely, Mr. *Henſhaw*, Mr.
‘ *Ferrers*, Mr. *Latham*; but doth not remember
‘ any others.

RICHARD COLEBECK.

G. Cant. *Robert Spencer.*
Tho. Cov. & Litch. *W. Say & Seal.*
Arthur Bath & Wells. *Theo. Howard.*
Tho. Wentworth.

‘ To prove the Defects in ſerving of Warrants, a true Note of ſuch Wardrobe Stuff, as remaineth unſerved, by the Right Honourable the Earl of *Middleſex*, Lord Treaſurer of *England*, in the Time of

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of his being Master of the Great Wardrobe; which Stuff was then commanded by Warrants for his Majesty's Service, and are now much wanting; for the which his Lordship is to be answerable unto his Majesty.' An. 22 James I. 1624.

Removing Wardrobe, per *Warrant*, *dated in* June, 1620.

' *Imprimis*, Chairs of Velvet, garnished with Gold Lace and Fringe	ij
' *Item*, Cushions of Velvet suitable	iiij
' *Item*, High Stools suitable	iiij
' *Item*, Counter Points of Tapestry	xxxiiij
' *Item*, Bed-Ticks, and the new-drawing of them, with Augmentation of Feathers	xvij
' *Item*, One Pair of *Milan* Fustians for the King's Bed	ij
' *Item*, One Pair of Cloth Blankets	ij
' *Item*, Tenter Hooks	ciiij
' *Item*, Foot Stools suitable	ij
' *Item*, Hammers	xviij
' *Item*, Writing Books	ij
' *Item*, Reams of Writing Paper	iiij
' *Item*, Black Jacks	iij
' *Item*, Brass Candlesticks	iiij

JOHN COTTON.

Removing Wardrobe, *in* June 1621, per *Warrant*.

' *Imprimis*, Window Curtains of Damask	v
' *Item*, Small Carpets of *Turkey* making	xix

JOHN COTTON.

Standing Wardrobe, Hampton-Court, per *Warrant*, *dated* January 1620.

' *Imprimis*, Four Pair of Fustians for the King's Bed	viij
' *Item*, Quilts of Holland and Fustian filled with Wool	iiij

' *Item*,

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An. 22 James I. 1624.

« *Item*, One Pair of large Blankets for the King's Bed } ij
« *Item*, Counter Points of Tapestry xxx
« *Item*, New Beds of *Brussels* Tick, to be filled with Feathers } xxx
« *Item*, Pillows of Down xv
« *Item*, Pillow-Beers xx
« *Item*, Bare Hides of Ox Leather iij

JOHN WINYARD.

Theobalds, per *Warrant*, in May 1621.

« *Imprimis*, Small Carpets of *Turkey* making xx
« *Item*, Traverses of Crimson Taffety ij
« *Item*, Necessary Stools of Velvet to be garnished with Fringe, and Lace of Gold and Silk } ij
« *Item*, Window Curtains of Silk vi
« *Item*, Bare Hides of Ox Leather ij
« *Item*, Hammers ij
« *Item*, Brushes iij
« *Item*, Tenter Hooks cvj

April 26, 1624. OTTIWELL WORSLEY.

« All the Parcels above-mentioned to be unfurnished, are Parcels of the Ordinary of the Office of « Wardrobe.

WILLIAM GEORGE.

G. Cant. *Theo. Howard.*
Tho. Cov. & Litch. *Henry Danvers.*
Fra. Russell. *Robert Spencer.*
Arthur Bath & Wells.

« To prove that his Lordship served in base and slight Stuff, and that his Lordship slighted and delayed the Officers, that sued to have the Warrants of the Lord Chamberlain served for the King's ordinary Wardrobe.'

The

The Examination of JOHN COTTON, *taken the 26th of April, 1624.* An. 22 Jacobi R. 1624.

The said Examinant saith, 'That, during the 'Time the Lord Treasurer was Master of the 'Wardrobe, this Examinant was Yeoman of the 'Removing Wardrobe, and was, and is yet, Keeper 'of the Standing Wardrobe at *Whitehall*. *And 'saith,* That the Warrants, which were sent in 'that Time by the Lord Chamberlain, for Neces- 'saries concerning the Offices, which this Exami- 'nant served in, were but few; and yet a great 'Part of them were unserved, as appears by a 'particular Note thereof, subscribed by this Exa- 'minant, and remaining with the Lords Com- 'mittees: And those which were served, were, for 'the most Part, served with baser and meaner 'Stuff than had been accustomed. *And saith,* 'That he hath many and often Times made Suit 'to the Lord Treasurer to have Warrants served, 'but could not prevail with my Lord; who, for 'the most Part, put it off to his Man *Colbeck*. 'And this Examinant further saith, That *Colbeck* 'did not, as it was fit, give Dispatch to the Ser- 'vice; whereupon this Examinant, and those to 'whom it appertains, made instant Suit, but in 'vain.

JOHN COTTON.

G. Cant. *The. Wentworth.*
Tho. Cov. & Litch. *Thos. Howard.*
Robert Spencer. *W. Say & Seal.*

The Examination of OTTEWELL WORSLEY, *taken the 26th of* April, 1624.

The said Examinant saith, 'He hath many 'Times acquainted the Lord Treasurer, late Mas- 'ter of the Wardrobe, with the Warrants which 'had been directed from the Lord Chamberlain 'unto the Lord Treasurer, when Master of the 'Wardrobe, for serving of Provisions upon the

'Ordi-

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An. 22 James I. 1624. ‘Ordinary of that Office for his Majesty's House ‘at *Theobald's*; and hath so much, and so often, ‘pressed him thereabouts, that his Lordship hath ‘told this Examinant, He was importunate. *And ‘saith*, That he hath, about a Week past, attend‘ed him thereabout; and his Lordship hath con‘fessed, that those Defects ought to be supplied by ‘him the said Lord Treasurer. *And saith*, The ‘Defects appear in another Paper, now delivered ‘to the Lords Committees, subscribed by this Ex‘aminant. *And saith*, He was once threatened, ‘by the Grooms of the Bed-Chamber, to be sent ‘to Prison for not furnishing those Necessaries; ‘whereupon he repaired to the Lord Treasurer, ‘but was slighted both by him and his Servants. ‘*And saith*, That those Things, that were served, ‘were not of that Goodness as hath been accus‘tomed, and was fit.

OTTIWELL WORSLEY.

G. Cant. *Fra. Russell.*
Tho. Cov. & Litch. *Henry Danvers.*
Arthur Bath & Wells. *Robert Spencer.*
Theo. Howard. *W. Say & Seal.*

The Examination of JOHN WINYARD, *taken the 26th of* April, 1624.

The said Examinant saith, ‘That of such War‘rants as came to the now Lord Treasurer, while ‘he was Master of the Wardrobe for *Hampton‘Court*, a great Part is yet unserved; the Parti‘culars whereof appear in another Note, subscrib‘ed by this Examinant, and remaining with the ‘Lords Committees. *And further said*, That ‘those Provisions, which were served upon those ‘Warrants, were, many of them, very slight and ‘mean. *And saith*, That he hath many Times ‘importuned the Lord Treasurer for serving what ‘remains unserved of those Warrants; and his ‘Lordship, from Time to Time, put him off to ‘*Colbeck*, and *Colbeck* made Excuses; but the

‘Stuffs

'Stuffs and Proviſions were not ſerved, tho' this 'Examinant uſed much Inſtance to procure them 'ſerved. An. 22 James I. 1624.

JOHN WYNYARD.

G. Cant. *Robert Spencer.*
Tho. Cov. & Litch. *W. Say & Stud.*
Tho. Wentworth.

'To prove ſlack and ſlow Payments, and great Abatement of Prices formerly paid.'

The Examination of BENJAMIN HENSHAW, *taken the 26th of* April, 1624.

Who depoſeth, 'That he delivered to the Earl of '*Middleſex*, during the Time he was Maſter of 'the Wardrobe, ſeveral Sorts of Wares, amount-'ing to the Sum of 2603 *l.* 16 *s.* 3 *d.* or there-'abouts.

	l.	*s.*	*d.*
'Whereof, as near as I can recollect, there was 2041 *l.* 5 *s.* 6 *d.* 'for the Uſe and Service of the 'Wardrobe, 562 *l.* 10 *s.* 9 *d.* 'for my Lord's own Uſe, both 'which amount to	2603	16	3
'Whereof received at ſeveral Times the Sum of	1950	0	0
'And ſo there remaineth due to me	653	16	3
	2603	16	3

BEN. HENSHAW.

G. Cant. *Tho. Howard.*
Jo. Linc. C. S. *Fra. Ruſſell.*
Tho. Cov. & Litch. *Henry Danvers.*
Arthur Bath. & Wells.

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An. 22 James I. 1624.

The Examination of OLIVER BROWN, *one of his Majesty's Upholsterers, taken* April 26, 1614.

OLIVER BROWN *and* JOHN BAKER, *his Majesty's Upholsterers.*

	l.	s.	d.
'Our Bills from *Michaelmas*, 1618, to *Michaelmas*, 1619, amount to	643	0	0
'Received of Lord *Cranfield*, *July*, 1619,	60	0	0
'——— about the End of the same Month,	140	0	0
'——— about the 13th of *December*, 1619,	100	0	0
'——— about the 16th of *March*, 1619,	100	0	0
'Our Bills from *Michaelmas*, 1619, to *March*, 1620, do amount to	602	18	7
'Received about the End of *June*, 1620,	100	0	0
'——— 14th of *July*, 1620,	100	0	0
'——— 23d of *December*, 1620,	200	0	0
'——— *February*, 1620,	100	0	0
'Our Bills from *Michaelmas*, 1620, to *Michaelmas*, 1621, do amount to	742	8	8
'Received about the 4th of *May*, 1621,	100	0	0
'——— 21st of *July*, 1621,	100	0	0
'——— 27th of *November*, 1621,	200	0	0
'——— 24th of *December*, 1621,	200	0	0
'——— 13th of *April*, 1622,	150	0	0
'——— 22d of *July*, 1622,	100	0	0
'——— 20th of *April*, 1624.	92	8	0
'At the same Time my Lord appointed his Steward to pay us (which is all that we demand)	145	18	7

OLIVER BROWN.

G. Cant. *Theo. Howard.*
Tho. Cov. & Litch. *Robert Spencer.*
Arthur Bath. & Wells.

The Examination of RALPH CANNING, *taken the 27th of* April, 1624.

The said Examinant saith, 'That he is the 'King's Arras-Worker, by his Majesty's Letters 'Patent. *And saith*, That, about the Time when 'the now Lord Treasurer became Master of the 'Great Wardrobe, this Examinant, having made 'Sumpter Cloths for the King, brought the Bills

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'to the Master of the Wardrobe, who abated this Examinant two Shillings in every Ell from the ancient Price that had been ever allowed: And this Examinant telling him how long that Price had been allowed, and that the said Abatement was such, that the said Examinant should not only lose his Work, but a great deal of the Price of the very Stuff he bought to make them, he told the Examinant to this Effect, *You that belong to the Wardrobe are Thieves, and many truer Men have been hanged.* And when this Examinant told him, he held his Place under the Great Seal, he said, *A Fig for your Patents, I care not for them*, with many other harsh Words; insomuch that this Examinant told him, he would never make more Cloths at that Price; and yet, nevertheless, when a new Warrant came, this Examinant attending him thereabout, and telling him, he expected better Payment if he made them, the said Master of the Wardrobe bad him make them, and he should have Content; yet, when they were made, he made the like Abatement as before, so as the Examinant lost his Labour, and Part of the Price of his Stuff.' An. 22 James I. 1624.

RALPH CANNING.

G. Cant. *Arthur Bath & Wells.*
Hen. Mandeville. *Henry Danvers.*
Tho. Cov. & Litch.

The Examination of JOHN PULFORD, *taken the 26th of* April, 1624.

THOMAS PULFORD, *his Majesty's Coffer-Maker, deceased, it appears by his Book,*

	l.	s.	d.
'That in the first Year of the Lord 'Treasurer's Account of the 'Great Wardrobe, *viz.* from 'Michaelmas, 1618, to Michael- 'mas, 1619, the Bills of Par- 'cels amounted to	338	3	2

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An. 22 James I. 1624.

	l.	*s.*	*d.*
Brought over	338	3	2
'That in the second Year of his 'Lordship's Account, *viz.* from '*Michaelmas*, 1619, to *Michael*-'*mas*, 1620, his Bills of Parcels 'amounted to	438	15	2
'That in the third Year of his 'Lordship's Account, *viz.* from '*Michaelmas*, 1620, to *Michael*-'*mas*, 1621, they amounted to	371	0	0
'Total of his Lordship's three Years 'Account is	1147	18	4
'Whereof paid (or thereabouts, for 'it cannot appear certainly, by his 'Book, what he hath received)	940	0	0
'So rests about	207	0	0

'The which 207 *l.* or thereabouts, his Lordship 'cut off, by way of Abatement of the Prices, and 'would not allow so much for the Commodities, 'as was thought fit to be allowed for the same in 'the Reign of Queen *Elizabeth*, by the then Mas-'ter and Clerk of the Great Wardrobe; but did, 'contrary to the ancient Precedent and Custom of 'the said Office, rate and prize the Bills as he pleas-'ed, and to the Loss and Damage of the said '*Thomas Pulford*, as can be manifestly proved; but 'the said *Thomas Pulford*, in his Lifetime, gave unto 'his Lordship a general Acquittance and Discharge 'of all Reckonings concerning the Wardrobe Ac-'counts for his Lordship's Time, so as his Execu-'tor knows not how to charge his Lordship with 'the Remainder, or whether he may.

JO. PULFORD.

G. Cant. *Thomas Wentworth.*
Tho. Cov. & Litch. *Theo. Howard.*
Arthur Bath. & Wells.

The

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The Certificate, upon Oath, of Sir FRANCIS GOFTON, *Knt. one of his Majeſty's Auditors.* An. 22 James I. 1624.

May it pleaſe your Honourable Lordſhips,

'There hath been no Accounts made, for the 'Office of the Maſter of the Great Wardrobe, dur- 'ing the Time the Right Honourable the Earl 'of *Middleſex* was Maſter of the ſaid Wardrobe; 'which, as I conceive, was for the three whole 'Years, ended at *Michaelmas*, 1621, *Anno* 19 *Jac. Regis*; for which Office I am, by his Majeſty's 'Letters Patent, one of the Auditors.

FRAN. GOFTON.

Hen. Mandeville. *Tho. Wentworth.*
Hen. Southampton. *W. Say & Seal.*

'Then Mr. Serjeant *Crew* obſerved to their Lordſhips, That it appears, in the Examination of *Oliver Brown*, that his Bill, to *Michaelmas*, 1619, came to 643 *l.* whereof the ſaid *Oliver* was paid, that Year, but 400 *l.* whereas the ſaid Lord Treaſurer received his whole 20,000 *l.* in hand, for the Diſcharge of the Ordinaries of that Office.'

'And alſo, That the Pardon granted by his Majeſty unto the Lord Treaſurer, in *January*, *Anno* 19 *Jacobi*, pardons him all Sums of Money received, but doth not pardon his not accompting for the Ordinaries of the ſaid Office.'

'The Serjeant having ended, the Lord Keeper moved the Houſe, That the Lord Treaſurer might anſwer his particular Charge touching the Wardrobe. His Lordſhip thereupon demanded Ink and Paper, and had it.'

The Lord Treaſurer's Anſwer as to the Wardrobe.

Then the Lord Treaſurer anſwered, *That his Majeſty uſed his Service in many Particulars touching his Eſtate; as, in the Navy, the Houſhold, and Wardrobe.*

That he found the Expences of the Wardrobe of a vaſt Sum; every one made what Bills they would, and did ſet what Prices they would.

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An. 22 James I. 1624. *When he was Maſter of that Office, he ſent for the Artificers, and told them, That he would not look upon what was paſt; but that, hereafter, the Prices ſhould be reaſonable, and the King's Money ſhould be ready, and they duly paid.*

That there were many Fees to be quarterly paid in the Wardrobe; all which were duly paid.

As for Canning *and* Pulford, *he gave them* 2 s. *in the Pound more than another would have ſold for: He bought little of thoſe of the Wardrobe, but chiefly much of the Merchants; and had a good Merchants Shop in the Wardrobe, and bought of the beſt.*

That Pulford *complains not of a hard Price, but that he had not the ancient Price.*

As touching the not ſerving of divers Warrants, That his Buſineſs being many, he referred thoſe to his Servant Colebeck: *That not above the Value of* 7 *or* 800 l. *remained unſerved; whereas he hath laid out* 6 *or* 7000 l. *upon the Extraordinaries of that Office; as, for furniſhing* Ely *Houſe for the* Spaniſh *Ambaſſador, a rich Barge-Cloth for the King, and many other Things; and that he gave the Earl of* Carliſle, *his Predeceſſor in that Office,* 3000 l.

As touching the Buſineſs of the Stuff ſerved in, He deſired they might be compared with thoſe formerly ſerved in; and affirmed they were much better.

And whereas ſome complain they were ſlighted, when they were Suitors for the Warrants to be ſerved, his Lordſhip deſired they might be examined, whether they were ſlighted by Him or no.

As touching the Account, his Lordſhip anſwered, That, by the Patent, which was read, he was to account; but that he had another Patent, if he be not deceived, without Account; which his Lordſhip delivered: And the Clerk read the ſame; and alſo his Majeſty's Explanation upon the Leaſe of Sugars, granted to the Lord Treaſurer, upon his Surrender of the Wardrobe.

'Then Mr. Serjeant *Crew* obſerved to the Lords, out of both thoſe, That his Lordſhip was to account for the ordinary Diſburſements of the Wardrobe.'

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The Lord Treasurer answered, *That he conceived he was not to account: That he first reduced that Office from the vast Charge he told the King of; and whereas he was allowed* 20,000 l. per Annum *for the same, he told the Duke of* Buckingham, *two Years since, that he got too much thereby; and that it might be defrayed for* 12,000 l. per Annum; *and that he, having reduced that Office from* 30, *nay* 40,000 l. per Annum, *unto* 12,000 l. *is a good Account.* An. 22 James I. 1624.

'Hereupon divers Lords presently affirmed, That the Duke of *Buckingham* had acknowledged, that the Lord Treasurer, when he was to surrender the Wardrobe to the Earl of *Denbigh*, did acquaint his Grace with the Greatness of Gains in that Office; but, to the end he might have a great Recompence, first he named 4000 *l. per Annum*, and afterwards 8000 *l.* and that this drew on the Lease of Sugars to his Lordship.'

'Then Mr. Serjeant *Crew* observed; That the Charge against the Lord Treasurer is upon Proof; his Lordship's Answer upon Averment; which he humbly referred to their Lordship's Consideration. And thus ended the Charge touching the Wardrobe.'

'And then the Lord Treasurer was withdrawn.'

'The Lord Keeper removed to the Earl's Bench, to satisfy the House touching the Lord Treasurer's Speech, That the Duke of *Buckingham* knew of his Gains in the Wardrobe; and told their Lordships, That he well remembers, that when the Duke of *Buckingham* moved his Majesty to place Sir *Lionel Cranfield* Treasurer, (which he desired, tho' afterwards he seemed unwilling) that then the King required the Surrender of the Wardrobe to the Earl of *Denbigh*. That when the Lord Treasurer heard of it, he magnified the Profits of the Place; first to the Duke, that it was 4000 *l. per Annum*; secondly to the King, that it was worth 6 or 7000 *l. per Annum*; whereby he got the Lease of Sugars at 4000 *l. per Annum* less than they are worth; and his Successor, the Earl of *Denbigh*, had 4000 *l. per Annum* less than his Lordship for Disburse-

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An. 22 James I. 1624. ments of that Office of the Wardrobe. That the Duke being moved at this, the Lord Treasurer then told his Grace, that his Gains in that Office had been 8000 *l. per Annum*; nay, more than he could well tell; and, till then, his Grace knew not of the great Gains of that Office; and if his Grace, who had been ever careful for the King's Profit, had known of it sooner, the Lord Treasurer had not held that Place so long; for his Grace is *Amicus usque ad Aras.*'

'Then it was ordered, That the Lord Treasurer be warned to be here again, at Two in the Afternoon, at the Bar.'

'*Post Meridiem.* The Lord Treasurer being brought to the Bar, as before, kneeled not, until he was remembered thereof by the Lord Keeper; then he kneeled, and the Lord Keeper willed him presently to stand up.'

'The King's Attorney being commanded to open the second Charge against the Lord Treasurer, his Lordship saith, *He was unprovided in the Morning for the Wardrobe; and besought their Lordships to take into their Consideration, that he is denied Counsel to speak for him, being charged with great Matters, for it may be their own Case; and he hath Precedents, as he is informed, that he might have Counsel allowed him: That, however, he would speak out of his own Strength; but desired their Lordships, that, if he forgot any Thing, no Advantage be taken against him*; unto which their Lordships agreed.'

His Lordship's further Requests.

'The Lord Treasurer made two other Requests unto their Lordships; the one, *For that his Witnesses have not fully answered touching the Wardrobe, that he might have a Re-examination upon the same Interrogatories.* This the House denied, as not usual to be granted in other Courts, after Publication, for that it might produce Perjury. His Lordship's other Request was, *That he might produce his Proofs, or Records, that the Workmen of the Wardrobe was paid:* Which was also denied; for that the Non-payment of the Workmen is but an Accident to his Charge.'

Two of which are refused by the Lords.

'Then

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'Then Mr. Attorney was willed to proceed:' An. 22 James I. 1624.
'And he proceeded in this Manner, *viz.*

'The ſecond Charge wherewith the Lord Treaſurer is charged, is for three ſeveral Corruptions; two of them diſguiſed under the Shadow and Pretext of a Bargain; and the third of a New-Year's Gift.'

Concerning the two former.

'It cannot be denied, That, *February* 6. *Anno* 17 *Jacobi*, his Majeſty did leaſe unto Sir *Nicholas Salter*, and others, the Cuſtoms and Impoſts of *French* and *Rheniſh* Wines, from *Michaelmas*, 1622, for nine Years and an half; and did covenant with the Leſſees not to lett any new Impoſition upon the Wines, during the Continuance of that Leaſe, without the Aſſent of the Leſſees. And, *January*, *Anno* 19 *Jacobi*, the King made a Leaſe unto Sir *John Wolſtenholme*, and others, for divers Years, of the Great Cuſtoms; in which Leaſe there was a Covenant, on the Part of the Farmers, that they ſhould put in Security for the Payment of their Rents; and, for Performance of this Covenant, they were to have the Allowance and Warrant of the Lord Treaſurer, without which the King's Remembrancer would not take their Bonds. *January* 14. *Anno* 19 *Jacobi*, a new Impoſt of 3 *l. per* Tun, was ſet upon the Wines; and the ſame being done without the Conſent of the Farmers, and to their great Damage, they were to expect Recompence for the ſame upon their Covenant. Upon theſe two Occaſions, the Farmers of the ſeveral Farms were neceſſarily occaſioned to become Suitors to the Lord Treaſurer; the one for Recompence and Reparation of their Loſs, the other for Allowance of their Security, and his Warrant to accept it.' Mr. Attorney proceeds on the Charge of Bribery.

'The Farmers of the Wines began their Suit to the Lord Treaſurer about *January* or *February*, *Anno* 19 *Jacobi*, and continued it with much Inſtance until *December*, *Anno* 20 *Jacobi*, ten or eleven Months together without Succeſs; whereupon they found Means to have Acceſs to the King him-

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An. 22 James I. 1624. himself, and represented their Grief by an humble Petition; which his Majesty answered most graciously, and gave strait Charge to the Lord Treasurer to give them a speedy Dispatch, and conclude with them upon such a Recompence, as in Honour and Justice was fit. And thereupon, *December* 31, 1622, the Lord Treasurer did agree with them, that they should be allowed 9500 *l.* to be defalked in nine Years and a Half out of their Rent, after the Rate of 1000 *l. per Annum.* This being agreed on, they were to have his Lordship's Warrant to the King's Attorney, for drawing a Book according to the Agreement; which Warrant was speedily prepared and drawn by his Lordship's Secretary; but delayed from *December* 31. *Anno* 20 *Jac.* until *June* 24. *Anno* 21 *Jac.* And the Farmers of the Great Customs having divided the Farms into 32 Parts, every of which Part was to give his Majesty Security of 1500 *l.* for Payment of their Rent, they presented their Security to the Lord Treasurer, who allowed and gave Warrant to the King's Remembrancer to receive it; but the Parties unto whom five of these 32 Parts were allotted, falling off and relinquishing their Parts, the four Patentees of the Farm resolved to resume those Parts to themselves; and thereupon tendered the Lord Treasurer their own Security for those five Parts; which he agreed to accept, yet protracted them till *June*, *Anno* 21 *Jacobi.*'

'The Business of both Farms thus delayed, and it being conceived that Money was expected, the Farmers of the Wines resolved to present the Lord Treasurer with 500 *l.* and they of the Great Farm resolved of the like Sum, and Mr. *Abraham Jacob* being a Partner in either Farm, was entrusted severally by the Farmers of each Farm, *viz.* 500 *l.* a-piece, to be presented to the Lord Treasurer; which he paid, in one entire Sum of 1000 *l.* to Mr. *Catchmay*, the Lord Treasurer's Steward, *June* 27. *Anno* 21 *Jacobi*, by the Lord Treasurer's Appointment; and thereupon the Business of both Farms

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Farms had a Diſpatch by the Lord Treaſurer's Means.' An. 22 James I. 1624.

'But to palliate and diſguiſe theſe two corrupt Gifts, the Lord Treaſurer then pretended to have four Parts of the Great Farm divided into 32 Parts; and, in his Anſwer touching theſe Corruptions, juſtifieth the taking of 1000 *l.* by way of Bargain for thoſe four Parts from the Farmers of the Great Cuſtoms: This Anſwer being diſproved, and it being made plain that he had no Part in that Farm, it muſt needs follow that the Money was taken corruptly, for the Diſpatch of the Farmers Buſineſs; and, for Manifeſtation hereof, it ſtands proved.

'That, upon the Treaty of the Bargain for the Great Farm, the Lord Treaſurer propounded to the Farmers to have ſome Parts in the Farm, not for his own Benefit, but to diſpoſe of amongſt his Friends; but this was rather a Propoſition than any ſettled Reſolution or Concluſion: For the Farmers doubting, leſt, by this Pretence, ſome Partners might be put on them with whom they were unwilling to join, deſired the Lord Treaſurer, that they might make Choice of their own Partners, and, if their Farms proſpered, they would be thankful unto his Lordſhip.'

'This Thankfulneſs was afterwards performed on their Part, for they raiſed his uſual New-Year's Gift from 1000 Marks to 1000 *l.* And, upon this Requeſt of the Merchants, the Lord Treaſurer waved his Propoſition of having the Diſpoſal of any Parts in the Farm; which appeareth not only by the plain and expreſs Teſtimony of many Witneſſes, but by theſe Proofs following, *viz.*

1. 'The Leaſe of the Great Farm bears Date, *Jan.* 1. *Anno* 19 *Jac.* between which Time and *April* 29. *Anno* 20 *Jac.* the Farmers divided the whole Farm into 32 Parts, allowing to each Man his Part, and reduced the ſame into Writing, expreſſing therein the Sum of the Security which every Man was to give, without mentioning therein any Parts reſerved to the Lord Treaſurer, or his Friends; and this Writing, being tendered to the Lord Treaſurer,

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An. 22 James I. 1624. surer, *April* 29, 1622, was by him allowed, and Warrant signed by him to the King's Remembrancer to take Security accordingly.'

2. 'When the Partners, to whom five of these Parts were allotted, fell off, and would not give Security, the Patentees resolving to take those Parts to themselves, tendered their own Security to the Lord Treasurer, and he agreed to accept it; and, though he protracted it long, yet he did not, in that long Time of Delay, challenge any Parts until about *June*, 1623.

3. 'The Farmers resting secure about that Proposition, did, after the 29th of *April*, 1622, divide the whole Farm by Indentures, allotting to each Man his due Part, without reserving any for the Lord Treasurer.'

4. 'At *Christmas*, 1622, the first Year of the Farm ended; and this Year's Profit was, by Account, in *April* 1623, divided among the Partners, reserving no Share to the Lord Treasurer.'

5. 'But the Truth is, That all this Time the Lord Treasurer rested quiet, and neither did nor would challenge any Parts; the Farm being of that small Expectation of Benefit, as five Partners gave over their Parts, rather than they would give Security; but, about *June* 1623, the Farm being grown more hopeful by the Return of some *East India* Ships, the Lord Treasurer having in his Hands the Business of both Farms, which he had so long delayed, meaning to make this a Veil and Cover for taking those corrupt Gifts, then pretended to have four 32 Parts, which he had waved so long before.'

6. 'The Lord Treasurer appointing *Catchmay*, his Servant, to receive the 1000*l.* of *Jacob*, which was received the 27th of *June*, 1623, forbad him to give any Acquittance for the Money, but to leave that to himself and *Jacob*; which, had it been paid upon a plain Bargain, he never would have done.'

7. 'This Money was entered into the Accounts and Books of the said Farms; for, in the Journal Books of the Petty Farms, *July* 31, 1623, there

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there is 500 *l.* entered to be paid and preſented to the Lord Treaſurer, by the Hands of Mr. *Jacob*, for a Gratification of his Favour in accommodating an Allowance of 1000 *l. per Annum* to be abated of their Rent for the Time to come; and the like Entry was made in the Ledger of the ſame Farm. And, *December* 20, 1623, upon the general Account of that Farm, this 500 *l.* is put to Account, as a Gratuity given to the Lord Treaſurer, and is borne rateably by all the Partners of the Farm, of which Account many Copies were given out to the Partners; and, for the other 500 *l.* there is extant a Warrant, dated *July* 29, 1623, ſubſcribed by Sir *John Wolſtenholme* and *Henry Garraway*, two of the Farmers of the Great Farm, directed to *Williams*, the Caſhier of that Farm, to pay to Mr. *Jacob* 500 *l.* given by him, by Order of the Farmers, to the Lord Treaſurer, for a Gratuity, and to put it to the Account of the Farm; which was done accordingly: And theſe Accounts ſtood in this Manner till *February* laſt, after the Parliament was ſummoned; and then the Lord Treaſurer cauſed *Jacob* to procure the 500 *l.* that was ſet upon the Petty Farms, to be altered from thence, and to be charged upon the Farmers of the Great Farm; and Satisfaction to be given to the Partners of the Petty Farms of their proportionable Parts they were charged with for that 500 *l.* upon the aforeſaid Account of the 20th of *December*; and as many as could of the diſperſed Copies of that Account to be gotten in. He alſo procures *Jacob* to write a Letter to his Lordſhip, and to antedate the ſame in *June* before; by which *Jacob* did intimate, that the 1000 *l.* was given his Lordſhip for four 32 Parts of the Great Farm; and himſelf made an Acquittance to *Jacob* with the like Antedate, acknowledging that 1000 *l.* to be received for thoſe four Parts; which indirect Courſes of changing the Accounts, and antedating the ſaid Acquittance and Letter, manifeſteth that the former Proceedings were not ſincere, but were to be converted and blanched with theſe Devices.'

An. 22 James I. 1624.

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An. 22 James I. 1624.

'Touching the said Corruption, shadowed under pretext of a New-Year's Gift, it stands proved, That, at *Christmas* last, 1623, the Farmers of the Petty Customs presented the Lord Treasurer with a Tun of Wine, intending to have added to it a Pipe of *Canary* Wine, or the best Sack; but the Lord Treasurer misliking the Smallness of their Present, urged them to a further Gratuity in Money, and thereby obtained from them, besides the Wine, 100 *l.* in Money.'

'The Charge being thus opened by Mr. Attorney, the Clerk read the Proofs, *viz.*

The Examination of BERNARD HYDE, *taken the* 19*th of* April, 1624.

Examinations of Witnesses thereupon.

The said Examinant saith, 'That after the new 'Impost of 3 *l. per* Tun, set upon the Wines, 'this Examinant, and the rest of the Partners in 'the Farm of the Wines, being greatly damnified 'thereby, contrary to a Covenant in their Lease, 'made long Suit to the Lord Treasurer for Relief 'in that Behalf; and, obtaining none, at last exhibited a Bill, in the Name of the Farmers, into 'the Exchequer Chamber, for a Satisfaction, and 'desired that his Majesty's Attorney General might 'answer the same; and so the Cause proceeded 'judicially: In the End, after ten Months Delay, 'conceiving it fittest to make their humble Suit to 'his Majesty himself, thereupon, on the *Sunday* 'before *Christmas* was Twelve-Months, this Deponent and *Henry Garraway*, together with *John* '*Harrison*, delivered an humble Petition to his 'Majesty, either to hear and order the Business 'himself, or refer them to the Council-Board, and 'not any more to the Lord Treasurer, where they 'had endured so long Delay. His Majesty gave 'them a most gracious Answer, That he would 'not that any Man should be hurt or damnified by 'him; but, as the Lord Treasurer best understood 'the

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'the Business, he would command him to make a speedy End with them; and, calling Mr. Chancellor of the Exchequer, by him sent a Commandment to the Lord Treasurer, that he should speed their Dispatch; and thereupon the Lord Treasurer, being attended upon New-Year's Eve, made an Agreement, that there should be an Allowance of 9500*l.* made unto them for their Satisfaction, to be paid in nine Years and a Half: And, after this Agreement made, they did long and often attend the Lord Treasurer, for his Warrant to Mr. Attorney, for passing their Book, according to the Agreement; but his Lordship still delayed the signing of the Warrant. The Examinant being grieved at the Delay, told Mr. *Dawes*, That he marvelled at the Delay, and thought there was somewhat in it that caused so long a deferring. To which Mr. *Dawes* answered, That he thought they must make their Passage by Money: And thereupon they propounded it to their Partners, who appointed one (which, as he thinks, was Mr. *Jacob*) to move the Lord Treasurer thereabouts; by whom Word was brought, that 500*l.* must be given; which was agreed to be given, and Direction given to *Richard Bishop*, their Cashier, to deliver so much Money to Mr. *Jacob*, or his Assigns; which was accordingly delivered the 31st of *July* last, unto a Servant of Mr. *Jacob's*, in Gold, for so it was required, and the same entered in the monthly Account as a Gratuity to the Lord Treasurer. *And saith*, That presently after the Delivery of the Money, the Warrant was signed by the Lord Treasurer; whereupon their Book passed shortly after. *But further saith*, That *December* 20, 1623, the yearly Account being made up for the Partners, the said 500*l.* was there also entered in this Manner, *For a Gratuity given to the Lord Treasurer the Sum of* 500*l.* which was then allowed by the Auditors of that Account, of which Mr. *Dawes* was one; and

An. 22 Jacobi I. 1624.

'the

An. 22 James I. 1624.

'the ſame continued accordingly till the End of 'January, or Beginning of *February*; and then Mr. '*Jacob* ſent for this Examinant, and propounded 'to this Examinant and Mr. *Grey*, that the ſaid 'Lord Treaſurer had told him, that the King was 'made acquainted with the 500 *l.* and that the 'ſaid Treaſurer had denied it his Majeſty; and 'therefore the Account muſt be altered, and the '500 *l.* poſted from the ſaid Account unto the 'Great Farm; and this was at the Houſe of Mr. '*Jacob*. To which this Examinant ſaid, It might 'be done; but then not only the Book muſt be 'altered, but there being Copies of the Account 'in the Hands of many of the Partners, they muſt 'be gotten in, which would be difficult; yet this 'Examinant would do his beſt, which he did ac-'cordingly; wherewith *Jacob* was well ſatisfied: 'And the ſaid Alteration being made, there was 'Reſtitution made to this Examinant, and ſuch 'other of the Partners as had no Share in the 'Great Farm, of their Parts of the ſaid 500 *l.* 'whereof this Examinant's Part was about 40 *l.* 'And this Examinant did always take it, that this '500 *l.* was given to the Lord Treaſurer for his 'own Uſe, for Diſpatch of the ſaid Warrant, and 'for no other Purpoſe.

BERNARD HYDE.

G. Cant.
H. Mandeville.
Hamilton.
H. Southampton.
Theo. Howard.
Tho. Cov. & Litch.
Arthur Bath & Wells.
Tho. Wentworth.
Fra. Ruſſell.
H. Danvers.
Robert Spencer.
W. Say & Seal.
Fra. Brook.

The ſaid Examinant, upon further Queſtion, the Day and the Year aboveſaid, ſaith, 'That he doth 'well remember, that beſides the Propoſition afore-'ſaid at Mr. *Jacob's* Houſe, the ſaid Mr. *Jacob* 'did, another Time, at the Cuſtom-Houſe, pro-'pound

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'pound the Alteration of the Account unto this Examinant, Sir *John Wolstenholme*, and Mr. *Garraway*.' An. 22 James I. 1624.

BERNARD HYDE.

G. Cant.
H. Mandeville.
Hamilton.
Pembroke.
H. Southampton.
Theo. Howard.
Tho. Cov. & Litch.
Tho. Wentworth.
Fra. Russell.
H. Danvers.
Ro. Spencer.
W. Say & Seale.
Fra. Brook.

The Examination of BERNARD HYDE, *taken the 20th of* April, 1624.

The said Examinant saith, 'That he doth perfectly remember that about the End of *January*, 'or Beginning of *February* last, Mr. *Jacob* sent 'for this Examinant to his House, the said Mr. '*Jacob* being at that Time not well in Health; 'and the said Mr. *Jacob* did then tell this Examinant, as from the Lord Treasurer, That the 'King had Knowledge of the 500 *l.* given to the 'Lord Treasurer, which was charged upon the 'Accounts of the Petty Farms, and that his 'Lordship denied the same; and that his Lordship was angry at the charging it on the Petty 'Farms, and therefore would have the Account 'altered. *And saith*, This Speech passed between 'them in Mr. *Jacob's* green parlour, and that 'there were in the Room at that Time, Mr. *Henry* 'Garraway, and *Richard Bishop*, but is not certain 'whether the same were openly spoken whereby 'these two might hear; or else said privately to 'this Examinant, to the end to make him more 'forward in the Alteration of the Book of Accounts; which was indeed a great Disgrace to 'their Books.

BERNARD HYDE.

The said Examinant further saith, 'That at '*Christmas* last the Farmers of the Petty Farms

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An. 22 James I. 1624. ‘presented the Lord Treaſurer with a Tun of ‘Wine, as they had uſed to preſent in former ‘Times, and intended to preſent him further with ‘a Pipe of *Canary* Wine or the beſt Sack: But, ‘within ſhort Time after, Mr. *Jacob* told this ‘Examinant and ſome others of the Farmers, that ‘the Treaſurer was angry with them for that they ‘had not better regarded him but with a Tun of ‘Wine, and his Lordſhip expected a better Grati‘fication; and that his Lordſhip had named 200 *l.* ‘and in the end the Farmers concluded to give ‘him 100 *l.* and this Examinant, by their Direc‘tion, delivered the ſaid 100 *l.* to his Lordſhip's ‘own Hands, and the ſame was by him accepted; ‘which, as Mr. *Jacob* took on him, was the rather ‘by his Means; and thereupon the Pipe of ſweet ‘Wine was forbore to be ſent.

BERNARD HYDE.

G. Cant.
Pembroke.
Tho. Cov. & Litch.
H. Mandeville.
H. Southampton.
A. Bath & Wells.
Hamilton.
T. Howard.
F. Ruſſell.
R. Spencer.
F. Brook.

‘The Examination of *Henry Garraway*, taken the 17th of *April*, was to the ſame Effect as *Bernard Hyde* in his firſt Examination.’

The Examination of ABRAHAM DAWES, *taken the 17th of* April, 1624.

The ſaid Examinant ſaith, ‘That after there ‘was an Agreement made for 9500 *l.* to be allow‘ed by the Farmers for their Damage by the new ‘Impoſt, this Examinant obſerving the Warrant ‘was long delayed, and having Speech with Mr. ‘*Bernard Hyde*, told him, That he thought the ‘Buſineſs was not well underſtood, nor a right ‘Courſe taken, and that ſomething muſt be given ‘to the Lord Treaſurer; and, ſhortly after, this

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'Examinant being one of the Auditors of the Ac- An. 22 James I, 1624.
'counts concerning the Farms, and finding in the
'Book of *Richard Biſhop* a Sum of 500 *l.* ſet
'down to be given to the Lord Treaſurer for a
'Gratuity, aſked the ſaid *Biſhop*, What Voucher
'he had for the Payment? who ſaid, That he had
'the Hands of ſome of the Farmers for it: And,
'becauſe the Time would not be long before the
'Account for the whole Year ſhould be made up,
'this Examinant preſſed no further at that Time,
'but when the Year's Account came to be made
'up, this Examinant finding the ſame 500 *l.* then
'put to Account, called *Biſhop* for his Vouchers,
'who thereupon ſhewed to this Examinant a Note
'under the Hand of Sir *John Wolſtenholme*, and
'Mr. *Henry Garraway*, for Warrant of that Pay-
'ment. *And further ſaith*, That this 500 *l.* be-
'ing afterwards poſted from that Account to the
'Great Farm, the ſaid *Biſhop* told this Exami-
'nant he had 3 *l.* odd Money for him, for his Part
'of the Money, to which he had taken Except-
'tion in the Account of the Wine Farm, ſaying,
'That by Direction of the Farmers it was poſted
'to the Great Farm; and that the Lord Treaſur-
'er would have it ſo. To which this Exami-
'nant anſwered, That would be prejudicial to this
'Examinant; for his Part thereof in the Petty
'Farm was but 3 *l.* odd Money, but in the Great
'Farm it would come to 18 *l.* and above. *And*
'*ſaith upon his Oath*, He ever conceived that 500 *l.*
'to be given to the Lord Treaſurer for Diſpatch
'of the Warrant for the 9500 *l.* And that within
'ſhort Time after the Partners had paid that 500 *l.*
'the Warrant was ſigned by the Lord Treaſurer,
'and their Buſineſs diſpatched.

ABRAHAM DAWES.

G. Cant.
T. Wentworth.
W. Say & Seal.
H. Mandeville.
F. Ruſſell.
T. Cov. & Litch.
H. Danvers.
A. Bath. & Wells.
R. Spencer.

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An. 22 James I. 1624.

The Examination of JOHN HARRISON, *taken the 17th of* April, 1624.

The ſaid Examinant ſaith, 'That after ſuch 'Time as the Farmers of the Petty Cuſtoms had, 'for many Months, ſued in vain to the Lord 'Treaſurer, for Satisfaction of their Loſſes ſuſtain-'ed by the new Impoſt of Wines; upon Petition 'exhibited to the King, and his Majeſty's Refer-'ence, by Commandment, to the Lord Treaſur-'er, on the laſt of *December* 1622, there was a 'Concluſion made, That the Farmers ſhould have 'the Defalcation of 9500 *l.* out of the Rent of 'the Wine Farm for nine Years and an half, in 'Satisfaction of their Demands: But notwith-'ſtanding that Agreement, and that a Warrant 'was prepared accordingly, (which this Exami-'nant knoweth, becauſe he ſaw it in the Hands of 'Mr. *Jacob* his Lordſhip's Secretary;) yet, for five 'or ſix Months together, the Lord Treaſurer tho' 'intreated, could not be prevailed on to ſign the 'Warrant; whereupon Mr. *Dawes*, intimating, 'that it was likely that the Lord Treaſurer expec-'ted ſome Gratuity, it was reſolved to preſent 'him with 500 *l.* which 500 *l.* is thus entered in 'the Monthly Account of the Petty Farms, *By 'ſo much paid to the Lord Treaſurer by the Hands of 'Mr.* Abraham Jacob, *for Accommodation of* 1000 l. 'per *Annum*, 500 l. *And further ſaith*, That the 'ſaid 500 *l.* was likewiſe put into the yearly Ac-'counts of that Farm, and thereupon Copies of 'the Account diſperſed into the Hands of many 'of the Partners: But afterwards the ſame was 'altered, about a Month after the Summons of 'the Parliament, and was poſted over to the Great 'Farm; and this Examinant, by the Appoint-'ment of Mr. *Jacob*, did call in divers Copies of 'the ſaid Account, and believeth (and ſo it was 'generally conceived,) that this was altered by the 'Lord Treaſurer's Appointment. *And further 'ſaith*, That before the ſaid 500 *l.* was reſolved 'to be given, Mr. *Jacob* did affirm, that the Lord

'Trea-

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'Treasurer did expect so much, as Mr. *Hyde*, 'near about that Time, and oftentimes, told this 'Examinant; and after that 500*l.* was given, the 'Warrant was signed, and the Business dispatched, 'with such Expedition, that the Book passed the 'Seal within a Fortnight, or little more. *And 'saith*, That upon Payment of the 500*l.* out of 'the Petty Farms, his Part came to 3*l.* odd Mo-'ney, but if he shall bear his Part thereof in the 'Great Farm, it will be about 15*l.* Loss to him.

An. 22 James I. 1624.

JOHN HARRISON.

G. Cant.	*H. Mandeville.*
H. Southampton.	*T. Howard.*
T. Wentworth.	*Hamilton.*
H. Danvers.	*T. Cov. & Litch.*
R. Spencer.	*Pembroke.*
W. Say & Seal.	*A. Bath & Wells.*

The Examination of RICHARD BISHOP, *taken the 22d of* April, 1624.

The said Examinant saith, 'That there was an 'Agreement made, as this Examinant heard from 'his Partners, and believes it to be true, by the 'Lord Treasurer on his Majesty's Behalf, to allow '1000*l. per Annum*, unto the Farmers of the Petty 'Farm, in Satisfaction of their Damage by the 'Imposition lately set upon Wines: which Agree-'ment, being made on New Year's Eve was 'Twelvemonth, and continual Suit made after 'for the Dispatch, yet for the Space of about six 'Months they were Suitors for the Warrant of 'Allowance, but could not get it until 500*l.* 'was agreed to be given to the Lord Treasurer; 'and this Examinant, being Cashier to the Petty 'Farms, received Order from Mr. *Jacob*, Mr. 'Hyde, and some others of the Farmers, to put 'the same to Account, which, according to their 'Direction he did, and entered the same in his 'Journal Book in these Words, 31st *July*, 1623. 'viz. *The Farm of* French *Wines oweth to ready*

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An. 22 Jacobi I. 1624.

'*Money the Sum of* 500 *l. paid and presented to the* '*Lord Treasurer by the Hands of Mr.* Abraham Jacob, *for a Gratification for his Lordship's Favour in accommodating an Allowance of* 1000 l. per Annum, *to be abated out of the Rent for the Time to come. I say, paid to the Hands of Mr.* Jacob, *the Sum of* 500 l. And he did likewise enter the same into his Leidger-Book; and in the End of the Year, the said 500 *l.* was put into the general Account of the Farm, as a Gratuity to the Lord Treasurer; and thereby the Dividend of the Farm was so much the less; and the same Account was audited and allowed by Mr. *Hyde*, Mr. *Fletcher*, Mr. *Dawes*, and Mr. *Williams*.

'And after, in *February* last, this Examinant received Direction to amend the Account; and thereupon, the 28th of *February* last, this Examinant made an Entry as followeth in his Journal-Book, *viz. The Account of the three Petty Farms, for the Year ended at* Michaelmas *last, oweth to several Accounts the Sum of* 500 l. *and is for so much dividable to the Partners, over and above the Sum of* 13, 120 l. 12 s. 10 d. *formerly divided for the Profit of the Year ended at* Michaelmas *last, for which the said Partners are due to have as followeth*; and then did enter every Man's Name with his Part of the 500 *l.* belonging to each Man; and the same was also entered in another Leidger-Book, as appears by the several Books, containing all the aforesaid Entries, fairly written, and now shewed to the Lords Committees. *And saith*, That albeit he had Order to have razed the Account, yet he did it not; but kept the same and the Book fair, and took so much the more Labour, and entered all specially as aforesaid.

RICHARD BISHOP.

G. Cant.
A. Bath & Wells.
H. Mandeville.
R. Spencer.
Hamilton.
W. Say & Seal.
H. Southampton.
F. Brook.
Tho. Cov. & Litch.

'And

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'And these Examinations were read, touching the Business of the *Great Farms*, &c. *viz.* An. 22 James I. 1624.

The Examination of HENRY GARRAWAY, *taken the* 17*th of* April, 1624.

The said Examinant saith, 'That the Examinant and others having taken a Lease of the 'Great Customs, in short Time after they were 'told by Mr. *Jacob*, That the Lord Treasurer 'desired to have the Disposition of some Parts in 'that Farm, but nothing was concluded thereon; 'saving that this Examinant and the Patentees 'told Mr. *Jacob*, they would desire his Lordship 'to give them Leave to dispose of all their Parts 'among their own Friends, and they would be 'thankful to his Lordship if the Farm did pros-'per; and accordingly the Farmers presented un-'to his Lordship a Note containing all the Part-'ners, and Distribution of all the thirty-two 'Parts of the Farm, to the Intent his Lordship 'might, according to that Proposition, give War-'rant for their entering Security to his Majesty, 'which his Lordship accepted and allowed; and 'gave Warrant to the King's Remembrancer, to 'take Security accordingly. Whereupon the Far-'mers went first, and procured as many others as 'they could, to go after to Mr. *West*, to give Se-'curity; but five of them not willing to proceed 'in the Farm, fell off; whereupon this Examinant 'and the other Patentees that had undertaken to 'give his Majesty Security, moved the Lord Trea-'surer to accept Security of them, and they would 'resume those five Parts to themselves; and his 'Lordship said he would: Nevertheless he did de-'fer to sign any Warrant therefore, but did not 'then, nor long after, speak of any Parts for him-'self, or to be at his Disposal; neither doth this 'Examinant conceive any Reason his Lordship 'should, the Opinion of the Farm being then so 'mean, that five of their Partners fell off: But 'the Warrant for Security being deferred till some

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An. 22 James I. 1624. ‘*East-India* Ships came in, which as this Examinant remembers, was about *May* and *June* 1623; ‘and the Farm then growing hopeful, his Lordſhip then began to challenge the four Parts in the ‘Farm, or elſe to have Recompence for the ſame; ‘which the Farmers thought to be very hard, they ‘having upon their firſt Promiſe of Thankfulneſs, ‘and in Performance thereof, augmented his Lordſhip's New Year's Gift, which formerly was but ‘1000 Marks, and in the Year following was ‘made 1000 *l.* nevertheleſs his Lordſhip demanded ‘1000 *l.* in lieu of his four Parts. This Examinant and his Partners thought the Demand altogether unreaſonable, they not owing any ‘Thing to his Lordſhip, nor there being any Thing ‘due to his Lordſhip in that kind; for that upon ‘the firſt waving his Claim of Part, the whole ‘Farm, long before this ſecond Demand, was divided by Indenture among all the Partners; yet ‘underſtanding that the Farmers of the Petty ‘Farms, (whoſe Buſineſs did ſtick as well as the ‘Buſineſs of the Great Farm,) were willing to preſent 500 *l.* to his Lordſhip, to remove the Stop; ‘the Farmers of the Great Farm conſented to give ‘500 *l.* more; and both of them employed Mr. ‘*Jacob* to negotiate their Buſineſs, who procured ‘a ſpeedy Diſpatch of both Buſineſſes, and had ‘Allowance of 500 *l.* out of the Great Farm, ‘and 500 *l.* more out of the Petty Farms; which ‘Money, ſet upon the Petty Farms, was after ‘poſted to the Great Farm, as in his other Examination taken this Day is ſet forth.

HENRY GARRAWAY.

G. Cant.
A. Bath. & Wells.
T. Wentworth.
T. Howard.
H. Danvers.
H. Mandeville.
H. Southampton.
T. Cov. & Litch.
R. Spencer.
W. Say & Seal.

The

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The Examination of JOHN WILLIAMS, *taken the* 17*th of* April, 1624. An. 22 James I. 1624.

The said Examinant saith, 'That after his Majesty had made the last Lease of the Great Customs, there was Security of 48,000 *l.* touching that Farm, to be given to his Majesty; which being divided into thirty-two Parts, each Part was 'to secure 1500 *l.* Parcel of the said 48,000 *l.* Thereupon the Names of all the Partners, and the Sums they were to secure, were put into one 'Paper, which was allowed by the Lord Treasurer; and his Lordship underneath subscribed a 'Warrant to the King's Remembrancer, to take 'Security according to that Note.

'But after five of the Parts fell off, whereby 'his Majesty's Security fell short 7500 *l.* and thereupon the Farmers, willing to undertake those 'Parts themselves, moved the Lord Treasurer to 'accept their Security for these Parts, which as 'this Examinant was told by the Farmers, his Lordship said he would accept; yet deferred to make a 'Warrant to the Remembrancer to take the Security, from *September* 1622, until *June* or *July* 'last, and then gave Warrant therefore: Howbeit 'this *Examinant saith*, That before the same Warrant passed, the Farmers were drawn to yield to 'a Gratuity of 500 *l.* which this Examinant 'knoweth; for that a Servant of Mr. *Jacob* who 'paid the Money, demanding Allowance thereof, 'upon the Account of the Farm, this Examinant 'refused to give Allowance thereof, until he 'brought to this Examinant a Warrant signed by 'Sir *John Wolstenholme* and Mr. *Garraway*, which 'was now shewed to him dated *July* 29th, 1623. 'And thereupon this Examinant, on or about the '8th of *August* last, gave Allowance thereof. *And 'saith*, That he understood that, about that Time, 'the Lord Treasurer had claimed four Parts in 'the said Farm; which seemed strange to this Examinant and the Partners. *And saith*, That he 'himself being one of the five named in the first

'Warrant,

An. 22 James I. 1624. ‘Warrant, which gave up their Parts, had his Part ‘from and under Mr. *Henry Garraway's* Quar- ‘ter, and neither he nor any of the other four had ‘their Parts from the Lord Treaſurer; neither ‘were their Parts to return to the Lord Treaſurer. ‘*And ſaith further*, That upon an Account which ‘began to be made in *April* 1623, and was audit- ‘ed *July* 9th, 1623, for the Year ending at *Chriſt-* ‘*mas* 1622, the five Parts of thoſe that fell off, ‘were divided among the four Farmers; and this ‘Examinant made up the Account in that Man- ‘ner, by the Farmers Warrant.

JOHN WILLIAMS.

G. Cant.	*Hamilton.*
H. Southampton.	*A. Bath. & Wells.*
T. Howard.	*R. Spencer.*
H. Mandeville.	*Pembroke.*
T. Cov. & Litch.	*T. Wentworth.*
H. Danvers.	*W. Say & Seal.*

The Examination of ABRAHAM DAWES, *taken the 20th of* April, 1624.

The ſaid Examinant ſaith, ‘That the Farmers ‘of the Great Cuſtoms, having agreed upon tak- ‘ing a Leaſe of that Farm, they among them- ‘ſelves divided the Farm into thirty-two Parts; by ‘the Partners of which Parts proportionable Se- ‘curity was to be given to his Majeſty, amounting ‘in all to 48,000 *l.* unto his Majeſty's Uſe; and ‘the Lord Treaſurer made a Warrant to the King's ‘Remembrancer, to take Security accordingly, ‘without reſerving any Part to himſelf, or any ‘other than was mentioned in that Warrant; but ‘five of the Partners falling off, the four Paten- ‘tees reſolved to accept thoſe Parts for themſelves, ‘and to divide them equally among them, and to ‘give their own Security unto his Majeſty for ‘thoſe five Parts. *And ſaith*, That this Exami- ‘nant, finding, both by the Accounts of the Farm, ‘and by Conference with Mr. *John Williams*, ‘that

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'that 500*l.* was put upon the Account of the Farm, as a Gratuity to the Lord Treaſurer, for accepting Security for thoſe five Parts, told Mr. *Williams*, that it was hard and unequal that 500*l.* ſhould be ſet upon the whole Farm, for that which concerned thoſe five Parts only, which the four Partners took to themſelves. *And ſaith*, That this Conference was between him and *Williams* about *July* laſt. *And further ſaith*, That he had a Conference with Sir *John Wolſtenholme*, about two Months paſt, what Part the Lord Treaſurer had reſerved in that Farm, who ſaid, he propounded at firſt to have ſome Part; but the Farmers doubting, leſt by that Means, Sir *Arthur Ingram* might be put upon them, intreated his Lordſhip to permit them to diſpoſe of all the Parts, and they would be thankful to his Lordſhip ſome other Way; with which his Lordſhip was ſatisfied, and that, (in Performance of that Promiſe,) whereas at *Chriſtmas* before they gave him 1000 Marks, the next *Chriſtmas* they gave him 1000*l.* An. 22 James I. 1624.

ABRAHAM DAWES.

G. Cant.
A. Bath. & Wells.
T. Cov. & Litch.
Pembroke.
T. Wentworth.
H. Southampton.
W. Say & Seal.
T. Howard.
F. Brook.

The Examination of JOHN HARRISON, *taken the 20th of* April, 1624.

The ſaid Examinant ſaith, 'That a little before *Chriſtmas* was two Years, Sir *John Wolſtenholme* told this Examinant, that upon taking the Great Farm, the Lord Treaſurer deſired to have ſome Parts therein for ſome of his Friends; but the Farmers fearing leſt any ſhould be put on them, with whom they were not willing to join, moved his Lordſhip to let them diſpoſe of the Farm as they thought good, and they would gratify him otherwiſe; which his Lordſhip was content with.

'*And*

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An. 22 James I. 1624.

'And this Examinant further saith, That, about 'April was two Years, the Farmers divided the 'Farm into thirty-two Parts, proportioning to 'every Man the Security he was to give to 'his Majesty; all which the Lord Treasurer 'allowed, and signed a Warrant to Mr. *West*, 'to take the Security accordingly; which War-'rant this Examinant carried to Mr. *West*, who 'prepared a Condition of a Bond, which was 'perused and made perfect by Mr. Attorney; 'and most of the Partners entered Bond accord-'ingly, only there remained five Parts unsecured. 'And further saith, There were Indentures drawn 'for distributing the Parts according to the Division 'made as aforesaid; and, concerning the five Parts 'unsecured, the Patentees, who would not seal any 'Indenture but to such as gave Security to the 'King, took those Parts to themselves, and offer-'ed the Lord Treasurer their own Security; but 'the taking thereof being long delayed, and 500 *l.* 'having been given to the Lord Treasurer by Mr. '*Jacob*, which the Farmers were to see repaid to 'Mr. *Jacob*; there was a Warrant given to Mr. '*John Williams*, the Cashier of that Farm; and 'the said Warrant, being so to be written by this 'Examinant, Mr. *Garraway* called this Examinant 'into the Office of the Custom-House, to direct 'him in the drawing of that Warrant; and ac-'cordingly required him to make a Warrant to 'Mr. *Williams* for allowing 500 *l.* to Mr. *Jacob*; 'yet so carried himself, that he appeared, to this 'Examinant, unwilling that this Examinant should 'know why the said 500 *l.* was disbursed; yet, in 'the end, perceiving that he could not well hide 'it from this Examinant, he plainly told this Exa-'minant, That this 500 *l.* was given to the Lord 'Treasurer, to procure him to take the Patentees 'own Security for those five Parts that had been 'relinquished; and said, in respect the Farm was 'not sufficiently secured until that Security given, 'he thought it reasonable that 500 *l.* should be put 'upon the Charge of the whole Farm; and there-

'fore

'fore wished this Examinant so to draw the War- An. 22 James I. 1624.
'rant; but Mr. *Williams* put it to the Account of
'the general Charge: And thereupon Mr. *Jacob*
'had Allowance thereof, and the 500 *l.* was put
'into the Account of the Farm. *And further*
'*saith*, That he hath since understood from Sir
'*John Wolstenholme*, that, as they promised to gra-
'tify the Lord Treasurer, for leaving the Claim of
'any Parts in the Farm; so they have performed
'it since, in raising the two Years past his New
'Year's Gift from 1000 Marks to 1000 *l.* *And*
'*saith*, That although he hath been much em-
'ployed in the Business of that Farm, yet he doth
'not know any thing that the Lord Treasurer had
'any Right or Equity in any Part of that Farm;
'and that Claim that he first made, and after re-
'linquished, was only for recommending some
'Friends, and not for himself.

JOHN HARRISON.

G. Cant. *W. Say & Seale.*
A. Bath. & Wells. *T. Howard.*
Pembroke. *T. Cov. & Litch.*

The Examination of Sir JOHN WOLSTENHOLME, *taken the* 17*th of* April, 1624.

The said Examinant saith, 'That the Farmers
'of the Petty Farms, finding their Business to suf-
'fer great Delay with the Lord Treasurer, did, as
'this Examinant was made acquainted by Mr.
'*Hyde* and others, resolve to present his Lordship
'with 500 *l.* and that the same was presented;
'and Mr. *Jacob* himself did acknowledge as much.
'*And he further saith*, That between *Christmas*,
'1621, and *April* 29th, 1622, the Lord Treasu-
'rer challenged a Promise of the Farmers, to have
'four Parts in the Great Farm for himself and his
'Friends; but upon Promise of Thankfulness from
'the Farmers of the Great Farm, was contented
'to relinquish those Parts; in respect whereof Mr.
'*Jacob*, afterwards, telling them that my Lord
'Trea-

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An. 22 James I. 1624.

Treaſurer did expect their Thankfulneſs; the Farmers were content to advance his New Year's Gift of 1000 Marks to 1000 *l.* by the Year: And his Lordſhip, being agreed, as aforeſaid, to relinquiſh his Part, upon the ſaid 29th of *April* 1622, did ſign a Warrant to the King's Remembrancer for taking of Security; in which Warrant all the Partners, and the full thirty-two Parts of the Farm are ſet down, and no Part thereof reſerved to his Lordſhip; after which Warrant, five of the Partners named in that Warrant fell off, and would not proceed; whereupon the Farmers themſelves moved his Lordſhip to accept their Security for thoſe Parts, and they would take upon them thoſe Parts; and his Lordſhip then made no Claim to thoſe Parts; yet delayed the Warrant by the Space of a Year, or thereabouts, never claiming any Parts in all that Time; but the *Eaſt-India* Ships afterwards coming in, whereby there was apparent Likelihood of Gain, his Lordſhip then challenged four Parts, and would not ſign the Warrant for accepting their Security, until they had promiſed or given him 500 *l.* And this Examinant and Mr. *Garraway* ſigned a Warrant unto Mr. *Williams* for Payment of that 500 *l.* *And ſaith*, That when he ſigned the ſaid Warrant, he had no Thought or Expectation that the other 500 *l.* ſhould ever have been put upon the Great Farm, but that it ſhould ſtill have reſted on the Petty Farms.

JOHN WOLSTENHOLME.

G. Cant.
Pembroke.
Hamilton.
T. Howard.
H. Mandeville.
H. Southampton.
T. Cov. & Litch.
A. Bath. & Wells.
H. Danvers.
W. Say & Seal.
T. Wentworth.
R. Spencer.

A War-

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A Warrant to Mr. WILLIAMS, *viz.* An. 22 James I. 1624.

'Mr. *Williams*, we pray you, pay unto Mr. *Jacob* the Sum of 500 *l.* given him, by Order from 'the Farmers, to the Lord Treaſurer for a Gratuity, and put it to the Account of Charge.

July 29, 1623. JOHN WOLSTENHOLME.
HEN. GARRAWAY.

'This Warrant was ſhewn to *John Williams* 'the 17th of *April* 1624.

JOHN WILLIAMS.

G. Cant. *H. Southampton.*
H. Mandeville. *T. Howard.*
Hamilton. *T. Wentworth.*
Pembroke.

The Examination of ABRAHAM JACOB, *taken the 17th of* April 1624.

The ſaid Examinant ſaith, 'That upon the Concluſion of the Leaſe of the Great Cuſtoms, the 'Lord Treaſurer told him, that he would reſerve 'ſome Part in the Farm, nominating at firſt ſix 'Parts, and afterwards four Parts: But the Farmers 'fearing that thereby ſome Partners might be put 'on them, with whom they had no liking to join, 'entreated that his Lordſhip would give them Leave 'to diſpoſe thereof among their own Friends; and, 'if the Farm did proſper, they would be thankful 'to his Lordſhip: And his Lordſhip conſenting 'thereto, ſigned a Warrant to Mr. *Weſt*, for ta'king Security; in which Warrant the whole 'Farm was divided into 32 Parts, and all the Part'ners named, with each Man's Proportion; of 'which Number five afterwards fell off, and there'upon the Farmers became Suitors to the Lord 'Treaſurer to take their Security for thoſe Parts; 'to which his Lordſhip condeſcended, and ſaid, 'He would give Warrant accordingly, but did not 'give Warrant till about *June* laſt; in which 'mean Time the Farmers and Partners did diſtri'bute and divide the whole Farm by Indentures, 'reſerving thoſe five Parts among themſelves, and

'the

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An. 22 James I. 1624. 'the Money for the first Year was divided among 'the Partners, according to the Indentures: But, 'in the second Year, the Farm prospering, and 'some *East India* Ships coming in, his Lordship 'again challenged four Parts; which this Exami-'nant thought strange, and so told his Lordship; 'for that his Lordship, in the Beginning had wa-'ved that Claim, and had given his Warrant to 'Mr. *West* for the whole 32 Parts. To which his 'Lordship answered somewhat sharply, and said, '*That was but an Omission.* Besides, this Exami-'nant told him, That he had no Ground for that 'Demand, because he desired at first to have it for 'others. To which his Lordship answered, *Sir* 'Arthur Ingram, *and they to whom he meant it,* '*had left the Parts to himself.* Whereupon this 'Examinant and his Partners, not knowing how to 'withstand his Lordship's Will, tho' they knew no 'just Reason of his Demand, were driven to think 'of some Course to satisfy his Lordship; and the 'Farmers of the Petty Farms, whose Business for 'their 9500 *l.* had been long delayed, having about 'that Time fallen into a Resolution to present his 'Lordship with 500 *l.* the Farmers of the Great 'Customs also agreed to add 500 *l.* more: And this 'Examinant, by Warrant from the Farmers of 'the Great Farm, delivered his Lordship 1000 *l.* '500 *l.* whereof was again allowed upon the Great 'Farm to this Examinant, and other 500 *l.* out of 'the Petty Farms; and thereupon the Business of 'both Farms had a Dispatch. *And saith,* That the 'Farmers of the Petty Farms did, as this Depo-'nent assuredly believeth, disburse that Money for 'their own Business, and not the Business of the 'Great Farm. *And saith,* That the several Sums 'of 500 *l.* were severally put upon the Accounts 'of the several Farms, and so continued till about '*January* last; and then his Lordship having, as 'it seemed, some Notice how these Monies were 'set in the Accounts, asked this Examinant there-'of: And this Examinant taking Time till the 'Morrow, and then bringing word unto his Lord-'ship,

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'ſhip, that 500 *l.* was ſet upon the Great Farms, An. 22 James II. 1624.
'and 500 *l.* upon the Petty Farms, his Lordſhip,
'in ſome Paſſion, ſaid, *They have done me Wrong,*
'*this will trench upon my Honour; I received of you*
'*the* 1000 l. *for my Parts of the Great Farm, and*
'*it had no Reference to the Petty Farm*; and, after
'conſidering of it about two Days, ſent for this
'Examinant, and dealt with him to have the Ac-
'counts mended; which this Examinant, with
'Conſent of the Farmers, procured; yet the Lord
'Treaſurer, not contented therewith, after two
'or three Journies, cauſed this Examinant, with
'Conſent of the Farmers, to write a Letter to his
'Lordſhip, dated in *June* laſt, (by Antedate, tho'
'written in *January* laſt) whereby this Examinant
'did intimate or acknowledge, that the 1000 *l.*
'was given his Lordſhip for four 32 Parts of the
'Great Farm; and at the ſame Time his Lord-
'ſhip gave an Acquittance to this Examinant, with
'the like Antedate, acknowledging the Receipt of
'the 1000 *l.* for the ſaid four 32 Parts; which
'Acquittance was now delivered to the Lords
'Committees. *And ſaith*, There was no Ac-
'quittance required, nor Receipt taken till *Janu-*
'*ary* laſt; but the Lord Treaſurer ſending *Catch-*
'*may*, his Servant, to receive the Money, com-
'manded him to give no Receipt nor Acquittance
'to this Examinant, but to leave it to his Lord-
'ſhip. And this Examinant paid the ſaid 1000 *l.*
'to *Catchmay* the 27th of *June* laſt. *And further*
'*ſaith*, That where the Farmers promiſed to be
'thankful to his Lordſhip for waving his Parts, if
'their Farm proſpered, they raiſed his New-Year's
'Gift from 1000 Marks to 1000 *l.*

ABRAHAM JACOB.

G. Cant. *T. Wentworth.*
Tho. Cov. & Litch. *Theo. Howard.*
H. Southampton. *Henry Danvers.*
H. Mandeville. *W. Say & Seal.*
Arth. Bath. & Wells.

Ann. 22 James I. 1624.

'Then the said antedated Letter and Acquittance, mentioned in the Examination of *Abraham Jacob*, for the said 1000 *l.* to be paid the 27th of *June*, 1623, for the said four 32 Parts, was read. And, to prove the third Corruption, shaddowed under the Pretext of a New-Year's Gift, were read these Examinations, *viz.*

The Examination of ABRAHAM JACOB, *taken the 20th of* April, 1624.

The said Examinant saith, 'That the Farmers of 'the Petty Farms having, at *Christmas* last, pre-'sented the Lord Treasurer with a Tun of Wine; 'shortly after the Lord Treasurer, misliking there-'of, told this Examinant, That they had included 'three Farms in one Lease; and that the Lord 'Treasurer used to be presented out of all those 'Farms, yet they now put him off with a Tun 'of Wine; and did very much express himself 'offended thereat, and did let fly at this Exami-'nant for the same: And thereupon this Exami-'nant moved the Farmers, who consented to give 'him 100 *l.* but the Lord Treasurer said it was 'too little. *And saith*, That when his Lordship 'declared himself offended at the Smallness of the 'Present sent to him as aforesaid, this Examinant 'told him, That the Farmers intended to present 'him with two Pipes of *Canary* Wines: But his 'Lordship said, He would not be so used; and 'slighted the Offer.

ABRAHAM JACOB.

C. Cant.
H. Mandeville.
Hamilton.
Pembroke.
H. Southampton.
Theo. Howard.
Tho. Cov. & Litch.
Arth. Bath. & Wells.
F. Russell.
F. Brooke.

The

The Examination of BERNARD HYDE, *taken the 20th of* April, 1624. An. 22 Jacobi I. 1624.

'He deposeth to the Presentment of the Tun of Wine, as aforesaid, to the Lord Treasurer, with an Intent also to present him with a Pipe of *Canary* Wine, or the best Sack: That Mr. *Jacob* told him and others, That the Lord Treasurer was angry that he was not better regarded; and that he expected a better Gratification; and that his Lordship named 200 *l.* That therefore he delivered 100 *l.* to the Lord Treasurer's own Hand; but the Pipe of sweet Wines was forborne to be sent.

BERNARD HYDE.

'Here Mr. Attorney ended the CHARGE for the said three Corruptions.'

The Lord Treasurer answered, *That the greatest Part of these Proofs swear not that they of the Petty Farm gave him the* 500 l. *That it is true the Great Farmers paid it to his Lordship, and laid it on the Petty Farm, and deceived them and abused his Lordship thereby.* The Lord Treasurer's Answer to the Charge of Corruption.

He denied that the Petty Farmers were Suiters to his Majesty at such Time as is affirmed; but they complained to his Lordship, and he directed them to exhibit their Bill into the Exchequer Chamber, and ordered Mr. Attorney to answer it: That they liked it not; but, by some powerful Means, delivered a Petition to the King, (a very scandalous Petition against his Lordship) which the King referred to the Chancellor and himself: That they demanded an Allowance of 10,000 l. *to be presently made, and he allowed them but* 9500 l. *to be paid in nine Years and a Half; for which he deserved no Bribe: That his Warrant to the Attorney was delayed for these two Causes:*

First, *For that his Lordship propounded to buy it their Farm for the King.*

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An. 22 James I. 1624. Secondly, *For that their Warrant was not drawn as it ought to be.*

Touching the Great Farm, his Lordſhip ſaid, *He would make it appear, that he had reſerved four 32 Parts therein for himſelf and his Friends; and alledged, That thoſe Farmers have confeſſed that, their Farms proſpering, he thereupon did demand a Recompence for his Part.*

'Here his Lordſhip read the Heads of his Proofs out of a Paper, and then required that the Examinations taken on his Part might be read; which were read accordingly by the Clerk, *viz.*

The Examination of Sir ARTHUR INGRAM, *Knt. taken the 3d of* May, 1624.

Examinations in his Favour. 'That ſome Time before *Chriſtmas*, 1621, the 'old Farmers of the Great Farm, *viz.* Sir *John* '*Wolſtenholme*, *Henry Garraway*, *Abraham Jacob*, 'and others, were Suitors to the Lord Treaſurer 'for the renewing of their Leaſe of the ſame Farm, 'and made Offer to give his Majeſty ſo much 'yearly Rent for the ſame, as (they alledged) none 'other would give; whereupon the Lord Trea'ſurer acquainted this Deponent therewithal, and 'deſired him, for the better Advancement of his 'Majeſty's Rent and Service, to do his Endeavour 'to procure ſome ſufficient Perſons to join with 'him, to make an Offer for the undertaking of the 'ſaid Farm; and thereupon he, this Deponent, 'dealt with divers Perſons of his Acquaintance, of 'good Quality, for that Purpoſe; and he, toge'ther with ſome of them, as, namely, Sir *Philip* '*Carey*, Mr. Alderman *Johnſon*, Mr. *John Eldred*, '*William Ferrers*, Eſq. and one Mr. *Cooper*, for 'themſelves, and others who were willing to join 'with them, did make an Offer of 1000 *l. per* '*Annum*, more than was offered by the old Far'mers; which, when they had Notice of, then, 'and not before, they offered near as much, or 'thereabouts.

That

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'That he, this Deponent, was afterwards told, An. 22 James I. 1624.
'that the King's Majesty had signified his gracious
'Pleasure, that the old Farmers should be preferred to the new, at that improved Offer they had
'made, before any others; and thereupon he, this
'Deponent, did desire the Lord Treasurer, that
'forasmuch as the said Offer, made by him and
'his Friends, was the Cause of that Improvement,
'therefore his Lordship would reserve some Part
'of the Great Farm to gratify such of them with-
'al, as would be desirous to have any Part there-
'of; for their better Encouragement to do his
'Majesty Service afterwards.

'That he hath heard it credibly affirmed, That
'the same Great Farm, at the first Agreement for
'the new-taking thereof, was divided into 32
'Parts, whereof some of the old Farmers, and
'their Partners, had, or were to have, some of
'them more of the same Parts than others, and
'some less. *And he, this Deponent saith*, That
'he having formerly moved the Lord Treasurer
'to reserve some Parts for his Friends, the rather
'to encourage them to join with him again in any
'the like Service, the Lord Treasurer, at or about
'that Time, told this Deponent, That he had re-
'served six 32 Parts of the said Farm to be dispo-
'sed among them as he, this Deponent, thought
'good; and then he, this Deponent, did make
'some of his Friends acquainted therewith, name-
'ly, Sir *Philip Carey*, Mr. *Ferrers*, Mr. *Cooper*,
'and some others; who, at the first, seemed wil-
'ling to undertake some of the same Parts; but,
'afterwards, perceiving that thereby they should
'enter into great Bonds to the King for the Pay-
'ment of the Rent, and undergo other great Ad-
'ventures; and yet should have no Hand in the
'managing of the Business, but that the old Far-
'mers would retain the Execution thereof wholly
'to themselves, as formerly they had done: there-
'fore those his Friends, which at the first seemed
'willing, did return Thanks to this Deponent for
'his Kindness in that Behalf, and refused to have

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An. 22 James I. 1624. 'any of the ſame Parts at all: Whereupon this 'Deponent did ſhortly after acquaint the Lord 'Treaſurer with ſuch their Refuſal, and, giving 'his Lordſhip like Thanks, did leave all the ſame 'Parts to the Lord Treaſurer again in his own 'Power, to be diſpoſed as he thought fit.

ARTH. INGRAM.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

The Examination of GEORGE LOWE *of* London, *Merchant, taken* May 3, 1624. in hæc Verba.

'*George Lowe*, of *London*, Merchant, was de- 'ſirous to have a Part in that Great Farm; and 'did move Sir *John Wolſtenholme*, and Mr. *Henry* 'Garraway, two of the Farmers, that he might 'have a Part with them in the ſame Farm. Mr. 'Garraway anſwered, That all their Parts were 'appointed and diſpoſed of; but ſaid, That the 'Lord Treaſurer had reſerved ſome Parts to his 'own diſpoſing, and that his Lordſhip might for 'me have a Part, if he ſo pleaſed.

GEO. LOWE.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

The Examination of RICHARD VENN, *taken the* 3d *of* May, 1624.

'I was twice or thrice with Sir *John Wolſten-* 'holme, one of the new Patentees, to intreat I 'might have a Part in the Great Farm with him; 'and his Partners; with whom I hoped to have 'prevailed, becauſe I had formerly been a Partner 'with him in the Great Farm, and at that Time, 'and now alſo, I am Partner with them in the

'Petty-

'Petty Farm: But he answered me plainly, Their Parts were all full; and appointed me, if I desired 'to have a Part, I must repair unto the Lord Treasurer; which accordingly I did: It pleased his 'Lordship to answer me, That he would do his 'best to help me to a Part, for he had reserved 'some Parts. Afterwards, upon further Consideration, knowing the Merchant Adventurers had 'lost the one Half of their Trade, and that they 'imported little else but Spices for their Return, 'myself being a poor Member of that Company, 'and that the Farmers chief Hopes were upon the 'East-India Trade; I did attend upon my Lord 'Treasurer again, and prayed his Lordship, if it 'might not be offensive, that if he intended me 'any Part, he would bestow it elsewhere.

An. 22 Jacobi. 1624.

RICHARD VENN.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
C. Manwaring.

The Examination of EDWARD FERRERS, *taken the 24th of* May, 1624.

'That he hath no Part in the Great Farm; 'but upon the Farmers taking a new Lease thereof of his Majesty, then the Examinant did earnestly desire the Lord Treasurer to have a Part 'of the Great Farm, and Employment in the 'Custom-House. His Lordship promised this Examinant, that he should have one of the 32 'Parts in the Great Farm, and also Employment 'in the Custom-House. This Examinant often attending his Lordship about a Month and more 'to accomplish his Desire, his Lordship told him, 'he might have one of the 32 Parts, but no Employment; for the old Farmers had told his Lordship, That they would have no new Man to 'come in to see into their old Accounts, as his 'Lordship said: Whereupon this Examinant answered,

An. 22 James I. 1624.

'ſwered, He would have no Part of the Farm without Employment; and ſo relinquiſhed his Lordſhip of his Promiſe.

'Then he afterwards acquainted *Mr. Abraham Jacob*, one of the Farmers, with the ſaid Requeſt to the Lord Treaſurer, and deſired his Furtherance therein; who replied, If my Lord Treaſurer have promiſed you, you may truſt on him to perform it.

EDWARD FERRERS.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

The Examination of Sir NICHOLAS FORTESCUE, *Knight, taken the 3d of* May, 1624.

'The Lord Treaſurer promiſed I ſhould have 'one of the 32 Parts of the Great Farm, which 'I had entered into Bond for, as others did, by his 'Lordſhip's Appointment. The ſaid Part I ſtill 'have, and did ever conceive he did appoint it for 'me, according to his Lordſhip's Promiſe about the 'Time the Great Farm was ſet.

NICH. FORTESCUE.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

The Examination of Sir PHILIP CAREY, *Knight, taken the 3d of* May, 1624.

'When the Farmers had made their Contract 'with the Lord Treaſurer for the Great Farm, I 'entreated his Lordſhip that I might have ſome 'Part in it, in reſpect I had been one of thoſe who 'had bidden for that Farm, and been a Means to 'raiſe it for the King's Benefit. His Lordſhip 'then promiſed me that I ſhould have one of the '32 Parts. Within few Days after, meeting with 'Mr.

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'Mr. *Abraham Jacob*, I told him that I had heard, An. 22 James I. 1624.
'that he, and the reſt of the Farmers had concluded with my Lord Treaſurer for the Great Farm, whereupon I had requeſted his Lordſhip for a Part in it, and he had promiſed to reſerve one of the 32 Parts for me. Mr. *Jacob* anſwered, I needed not to have troubled my Lord for it, for that I might have had ſo much from the Farmers themſelves, if I had deſired it of them. I ſaid, That was more than I did know. But when I underſtood that I muſt enter into Bond of 1500 *l.* to the King, and that the Managing of the Buſineſs muſt be put into the Hands of a few Committees, the reſt of us ſitting for Cyphers; and doubting that the Benefit of the Bargain would not be worth the undergoing theſe Inconveniences, I reſolved with myſelf abſolutely to relinquiſh; and intreated Sir *Dudley Diggs* to ſignify ſo much to the Farmers, together with my Reaſons for ſo doing; which, not long after, he told me he had done, and that they were contented, and would forbear it.

PHIL. CAREY.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

The Examination of Sir RICHARD WESTON, *Chancellor of the Exchequer.*

'That I had two 32 Parts in the Great Farm, and that, about *March* or *April* was Twelve-Months, I ſold theſe two 32 Parts to the Farmers for 500 *l.* which the Deed and Bond between the Farmers and me will declare.

'That about *Midſummer* laſt, going with my Lord Treaſurer in his Coach to *Chelſea*, he told me, with ſome Joy, That he had ſold his four 32 Parts to the Farmers for 1000 *l.* and that he had

An. 22 James I. 1624. 'I had made that Bargain after the Rate of mine 'being remembered of it by Sir *Arthur Ingram.*

RICHARD WESTON.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

'These Examinations being read, Mr. *Wills* (the Lord Treaſurer's Secretary, who aſſiſted his Lordſhip in ſorting his Papers) withdrew himſelf by Commandment of the Lords.'

'Then the Lord Treaſurer made a brief Repetition of his Proofs of his Intereſt in ſome 32 Parts of the Great Farm; and took Exception againſt the Teſtimony of *Abraham Jacob*, for it varied in Time of Payment of his 1000 *l.* from the Teſtimony of *Bernard Hyde*. And his Lordſhip affirmed, *That the* 500 l. *was miſplaced by him, the ſaid* Abraham Jacob *and two more, on the Banners of the Petty Farms; whereas he received the ſame only for his Intereſt in four* 32 *Parts of the Great Farm.*

The Lord Treaſurer's further Defence.

'And as touching the antedated Letter, and the antedated Acquittance, his Lordſhip ſaid, *That they were ſo done, leſt* Abraham Jacob *ſhould die, and ſo his Teſtimony be loſt.*

'Unto which Mr. Attorney replied, That it is ſufficiently proved, that the ſaid Treaſurer, neither when he received the 1000 *l.* nor long before, had any Right to the ſaid 32 Parts: And thereupon he ſtated the Caſe as before, and rehearſed the ſeven Reaſons by him formerly alledged, to prove that the Lord Treaſurer had waved his Propoſition of having the diſpoſing of any Part in the Great Farm: And further, he directed the Clerk to read this Examination, taken here *ex Parte Dom. Theſaur.* viz.

Mr. Attorney's Anſwer.

The Examination of Mr. HENRY GARRAWAY.

Examinations thereupon.

'That he doth abſolutely deny, That the Lord 'Treaſurer, at that Time of his Demand of 1000 *l.*

'which

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which was about the Middle of *June* last, to his best Remembrance, had any Interest or Right to any Part in the Great Farm; holding his Lordship exempted from, and the Patentees invested in, those Parts so relinquished, when his Lordship had signed the Warrant to Mr. *West*, his Majesty's Remembrancer, to accept of their Security: But the said *Henry Garraway* confesseth, That he doth well remember, that Mr. *Jacob* did intimate unto him, and to the rest of the Patentees, the Lord Treasurer's Demand of 1000 *l.* under Pretence of four 32 Parts of the Farm; but not in that Manner that we should buy them, or he sell them to us; which Motion, he also remembreth well, they entertained with a great deal of Indignation; wondering what his Lordship should mean, to lay Claim to that he had no Manner of Right unto. But when this Deponent and Partners saw and perceived by Mr. *Jacob*, that the Lord Treasurer was bent, by all Means, to have his Will; after some few Days Consideration of their Business then depending with his Lordship, namely, the signing of the Warrant for the Recompence of the Damage sustained by the Petty Farms, and likewise the Warrant for perfecting the Security for the Parts of the Great Farm, relinquished by Sir *Philip Carey*, and others; they resolved, having the Consent of the Partners in the Petty Farms, to give Liberty to Mr. *Jacob* to promise his Lordship 1000 *l.* whereof 500 *l.* was to be paid by one Farm, and 500 *l.* by the other; but without any Acknowledgement of Right. An. 2o James I. 1614.

That Mr. *Jacob* had Order from the Deponent, and his Partners in the Great Farm, for 500 *l.* and from Mr. *Hyde* and Mr. *Dawes*, and other Partners in the Petty Farms, for other 500 *l.* to be given to his Lordship, as a Gratuity to prefer their Business; but not for any Interest to any Parts of the Great Farm, as he conceiveth.

That he conceived it to be true, that Mr. *Jacob* paid unto the Lord Treasurer, in one entire Payment,

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An. 21 James I, 1624. Payment, 1000 *l.* as in the former Depoſitions is declared; and that the ſaid Payment, as he hath heard Mr. *Jacob* ſay, was about the latter End of *June* laſt. That preſently after the Lord Treaſurer had ſigned the Warrant to Mr. *John Weſt*, for the accepting of their Security, as aforeſaid, which was in *April*, 1622, to this Deponent's beſt Remembrance, he this Deponent and his Partners, the Patentees in the Great Farm, gave Order to draw up the Indentures for the Diviſion of the whole 32 Parts; which was done long before the Lord Treaſurer made any Demand of ſix Parts; for, to this Deponent's beſt Remembrance, the Lord Treaſurer did not make any Demand till the Month of *June*, 1623. And as to the Parts divided among the Patentees, this Deponent doth make Anſwer, that the Diviſion then made was as follows, *viz.*

'To Sir *John Wolſtenholme*, five 32 Parts and three Fourths.

'To Mr. *Abraham Jacob*, four 32 Parts and three Fourths.

'To Mr. *Merrice Abbot*, four 32 Parts and three Fourths.

'To this Deponent five 32 Parts and three Fourths.

'But at the Time Mr. *Jacob* made the Propoſition on the Behalf of the Lord Treaſurer, there was no new Diviſion; for that the whole thirty two Parts were all divided long before.

'That the ſaid 1000 *l.* was given by Conſent of thoſe that had the Managing of the Buſineſs in both Farms, as is before declared; and it was, after a Conſultation had among the Partners of both Farms, and not before; and the Partners that were preſent at thoſe Conſultations were, Sir *John Wolſtenholme*, Mr. *Abraham Jacob*, Mr. *Bernard Hyde*, Mr. *Abraham Dawes*, Mr. *John Harriſon*, and this Deponent, all Partners in the Petty Farms, and all, excepting Mr. *Hyde*, intereſted in the Great Farm; but whether any

'other

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other of the Partners were preſent, he remembers not. An. 22 James I. 1624.

'That the Patentees of the Great Farm did never, to his Knowledge, demand of the Partners of the Petty Farms any Sum of Money to be given to the Lord Treaſurer: But the Partners in the Petty Farm, without Motion from the Patentees of the Great Farm, (finding their Buſineſs for lack of Recompence had ſo long ſtuck) did freely, and of their own Accord, declare their Conſent to give 500 *l.* as conceiving their Buſineſs would never have an End, till the Lord Treaſurer was gratified: And, on the other Side, the Patentees of the Great Farm, finding themſelves oppreſſed with an unjuſt Demand, were willing to entertain their Offer to eaſe themſelves of that Part of the Burthen.

'That hitherto the 500 *l.* charged in the Account of the Petty Farms, as a Gratification to the Lord Treaſurer, is not yet paſſed to the Account of the Great Farm; but he acknowledgeth it to be true, That, at the Importunity of the Lord Treaſurer, made unto them in *January* or *February* laſt, when he alledged that it might entrench upon him in point of his Honour, if it were not taken off from that Account, and paid unto the Partners of the Petty Farms, the Patentees not being willing to deny the Lord Treaſurer of *England* for a Matter of 500 *l.* did give their Conſent to take the Burthen upon themſelves, in equal Shares for this, *viz.* 125 *l.* for every Patentee's fourth Part.

'That the four Patentees of the Great Farm then (when Mr. *Jacob* had made the Propoſition for 1000 *l.* for the Lord Treaſurer) did agree only to pay 500 *l.* and to accept of the Offer of the Petty Farmers for the other 500 *l.* which 500 *l.* ſo by them, the Patentees of the Great Farm, to be given, they ever intended for a Gratification for paſſing of their Security; and the Warrant, which did order Mr. *Williams*, their Treaſurer, to repay the ſaid 500 *l.* to Mr. *Jacob*, doth make

'Mention

An. 22 Jacobi I. 1624. 'Mention that it was for a Gratification, as by the 'said Warrant it doth and may appear; the said 'Sum of 500 *l.* remaining to this Day, in the 'same Nature it was paid, without any Alteration.

'It is true, that the four Patentees have equally 'divided among them the Parts relinquished by Sir '*Philip Carey*, and the rest; for they are only 'bound as Patentees to his Majesty, and the rest 'but as Sureties; and if all the rest of the Partners 'should have relinquished, they were bound to 'take the same upon themselves.

HEN. GARRAWAY.

Pembroke. *E. Montagu.*
E. Sheffield. *Ro. Briſtoll.*
G. Meneven.

'The Examination of Sir *John Wolſtenholme*, Knight, was to the same Effect.'

The Examination of ABRAHAM JACOB, *taken ex* Parte Domini Regis, April 17, 1624.

'That the Lord Treasurer's Demand of the 'four 32 Parts was after the Farmers had divided 'the Profits thereof among themselves, for one 'Year, by Indentures; and after the Lord Trea-'surer had waved his Claim, and had given his 'Warrant to Mr. *West* for the whole 32 Parts, &c. '*ut antea*, (P. 240.)

'And, as touching the Lord Treasurer's Excep-tion to the Testimonies of *Abraham Jacob*, for that it varied in Time from *Bernard Hyde*, Mr. Attorney shewed, that *Abraham Jacob* deposeth, That he paid the Money to the Lord Treasurer on the 27th of *June*, 1623, by Direction from the Farmers, and *Bernard Hyde* swears, That the Mo-ney was delivered to *Jacob* the 31st of *July*, 1623; which was by way of Allowance back again, so no Contradiction between them.'

'Then

'Then the Lord Treasurer protested, *That, as he shall answer it at the fearful Day of Judgment, he received that* 1000 l. *for no other Consideration than for his Share in the four* 32 *Parts.* An. 21. James I. 1623.

'And as touching the third Corruption, by way of a New-Year's Gift, he said, *That nothing belongs to the Lord Treasurer's Place but* 20 s. *per Diem, the Sale of the Places when they fall, and the New-Year's Gift*; and denied, *That he urged them to any certain Sum.* The Lord Treasurer protests his Innocency therein.

All which, he said, *he would humbly leave to their Lordships honourable Consideration; and, withal, requested their Lordships to forbear his further Attendance here till* Monday *next, because he had spent his Spirits so far, that his Cause might otherwise suffer through his Weakness.* And so withdrew himself.

'The Lords granted his Request, and commanded the Gentleman Usher to signify so much to his Lordship; and further ordered, that he should attend their Lordships here again on *Monday* next, at Eight in the Morning, at the Bar.'

'An Order was signed by the Clerk accordingly, and sent to the Lord Treasurer.

May 8. This Day the Lords received from the Commons, by Sir *Edward Coke*, Knt. and others, eight Bills, along with this Message, 'That the Commons do humbly desire to know, what Time their Lordships will please to appoint for a Conference touching the Bill on Monopolies. The Commons desire a Conference on a Bill against Monopolies, &c.

'They do also desire a Conference touching some Accusation against the Lord Bishop of *Norwich*, unto which his Lordship has not yet been heard; humbly leaving the Time and Place to their Appointment.

'And they do earnestly recommend to their Lordships Consideration, that general Peace-maker of *England*, the Bill of Concealments.'

Answer. 'The Lords have appointed a Conference concerning Monopolies this Afternoon, at Three, in the *Painted Chamber*.

'They

An. 22 James I. 1624.

'They have not yet resolved of a Time for the Conference touching Accusations against the Lord Bishop of *Norwich*; for that divers of the Lords are now absent: But, as soon as they can conveniently appoint a Time for the same, their Lordships will send to them by Messengers of their own.

'As touching the Bill of Concealments, their Lordships have taken the same into their serious Consideration; and it is only deferred for that all the King's Council, who are appointed to attend the same, are, at this Time, otherwise employed; But their Lordships do promise all possible Expedition therein.'

May 10. The Lord Keeper put the House in mind of the Business concerning the Lord Treasurer, to be proceeded in this Morning. And his Lordship being brought to the Bar, Mr. Serjeant *Crew* opened the Charge against him on the Lease of *Sugars*, in this Manner:

SUGARS.

Quarto Decembris, *Anno* 18 Jacobi.

Proceedings against the Lord Treasurer on the Lease for Sugars.

THE King leaseth to *George Herriot* the Impost on Sugars, to hold from *Christmas* following, for three Years, at the Rate of 5666 *l.* 13 *s.* 4 *d. per Annum*, payable at *Midsummer* and *Christmas*.

Duodecimo Januarii, *Anno* 19 Jacobi.

'The Lord Treasurer procures *George Herriot* to surrender that Lease; and, the next Day, takes a Lease thereof from the King, unto *Nicholas Harman* and *Thomas Catchmay*, (two of his Lordships Servants) unto his own Use, at 2000 *l.* Rent *per Annum*, and lets the same unto the Farmers at 6000 *l. per Annum*: And, to effect this Surrender, gives Order, in a Time of Scarcity of Money, for the Payment of 14,865 *l.* due unto the said *Herriot* for Jewels, which was paid, between the 15th of *December*, 1621, and the 10th of *January* following, in this Manner, *viz.* 7000 *l.* odd Money, out of the Arrears of the said *George Herriot's* Rents,

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and 7000*l.* odd Money, out of the Tobacco Farm, by way of Anticipation.' An. 22 James I. 1624.

'The Crime objected against the Lord Treasurer herein is this: Had *Herriot's* Leafe continued, *Herriot's* Debt had been paid out of his Rent; and the said Treasurer has not only caused the said Leafe to be surrendered, and procured a new Leafe thereof unto his Servants, to his own Use, at a far less Rent; but hath laid 7000*l.* of that Debt upon the Farm of Tobacco: And this he hath done in a Time of Scarcity of Money, even then when he caused the Impositions to be laid on the Wines for a Supply for the *Palatinate:* And further, he hath paid the smaller Rent of 2000*l. per Annum*, very slowly unto the King; an Arrear of 3000*l.* thereof being paid since the 31st of *December* last, after the Summons of this Parliament.'

'And whereas, for the Advancement of Trade, the Merchants, upon the Exportation of their Merchandizes, are repaid their Custom, which they formerly paid upon the Importation: This is denied upon the Exportation of Sugars, to the Damage of the Merchants, and for the Lord Treasurer's private Gain.'

'Then the Clerk read the Proofs, *viz.*

The Certificate of Sir ROBERT PYE *and* Sir EDWARD WARDOUR.

Mr. Herriott's *Debt due to him for Jewels, and in what Manner he was paid the same, between* December 1621, *and* January *following*, viz. Certificates and Examinations thereupon.

	l.	*s.*	*d.*
'December 17, 1621, there was allowed (by Order from the Lord Treasurer, *December* 15, 1621) unto Mr. *Herriot* for Jewels sold to the late Queen *Anne*, in part of Payment of 3584*l.* 16*s.* 10*d.* the Sum of	792	13	6

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An. 22 James I. 1624.

	l.	*s.*	*d.*
Brought over	792	13	6
'More allowed unto him by like 'Order from the Lord Treasurer, *December* 17, in full 'Payment of the said Sum of '3584*l.* 16*s.* 10*d.*	2792	3	4
	3584	16	10
'*January* 10, 1621, more allowed unto Mr. *Herriot*, by 'several Orders from the Lord 'Treasurer, for Jewels, *&c.* 'by him, at sundry Times, 'delivered, and now paid for, 'between the said 15th of '*December*, 1621, and the 10th 'of *January* following, over 'and besides the Sums above 'mentioned	11,280	3	2
'The Sum Total of all the Money allowed by the Lord Treasurer, unto Mr. *Herriot*, is	14,865	0	0

The Manner how these Monies were allowed and paid unto Mr. Herriot, *was as followeth:*

'*December* 15, 1621, there was 'a Tally struck, at the Receipt 'of the Exchequer, upon the 'Farm of the Impost of Sugars, being the Remainder in 'Mr. *Herriot's* Hands upon his 'Account for	2133	10	6
'There was likewise another Tally struck upon the Sugars, for 'a whole Year's Rent due at '*Christmas*, 1621, then next 'following, by Mr. *Herriot* 'for	5666	13	4

Brought

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An. 22 Jacobi I. 1624.

	l.	s	d.
Brought over	7800	3	10
'January 10, 1621, there were likewise two other Tallies more ſtruck upon *William Burton* and *Peter Sanderſon*, on the Tobacco Farm newly lett to them by Letters Patent dated *Dec.* 21, 1621, by way of Anticipation, for the Sum of	7064	16	2
	14,865	0	0

This being cleared, the new Grant of Sugars began the —— of January, 1621, *as followeth:*

'January 23, 1621, the Leaſe of Sugars was granted unto *Nicholas Harman*, and *Thomas Catchmay*, by Indenture, dated *Jan.* 23, 1621, *Annó* 19. *Jac.* but they paid not their firſt Half-Year's Rent until *Jan.* 23, 1622, which was then paid for the Half-Year ended at *Midſummer*, 1622,	1000	0	0
'Paid by them for the Half-Year's Rent due at *Chriſtmas*, 1622;	1000	0	0
'More paid by them the ſame Day for the Half-Year's Rent at *Midſummer*, 1623,	1000	0	0
'Alſo paid by them for the Half-Year's Rent, due at *Chriſtmas* laſt, 1623;	1000	0	0
	4000	0	0

RO. PYE.
EDW. WARDOUR.

G. Cant. *Tho. Cov. & Litch.*
H. Mandeville. *A. Bath. & Wells.*
H. Southampton. *H. Danvers.*

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An. 22 James I. 1624.

The Examination of Sir JOHN WOLSTENHOLME, *Knight*, ABRAHAM JACOB, *and* HENRY GARRAWAY, *taken the 27th of* April, 1624.

The ſaid Examinants ſay, 'That they and Mr. *Morrice Abbot*, and Mr. *Dawes*, are Farmers to 'the Lord Treaſurer of the Farm of Sugars, at 'the Rent of 60000 *l. per Annum*. *And ſay*, There 'is not any Allowance made to the Merchant, 'upon the Exportation of Sugars, of the Impoſt 'which the Merchant paid upon the Importation 'of the ſame, according as in the Caſe of other 'Merchandize. *And they ſay*, That paying ſo 'great a Rent, they may not allow the Impoſt to 'the Merchant, unleſs they have their Rent abated, 'or that his Majeſty will bear the Burthen and 'Charge of that Allowance. *And ſay*, That they 'have moved the Lord Treaſurer, that an Allow-'ance be made to the Merchant for the Advance-'ment of Trade; and his Lordſhip took the ſame 'into Conſideration, but hath not given Direction 'therein. *And further ſay*, That ſuch as farmed 'the Sugars before theſe Examinants, did not give 'that Allowance; and therefore theſe Examinants, 'following the ſame Courſes, did not yield any 'Allowance, more than had been before their 'Time.

JOHN WOLSTENHOLME.
ABRAHAM JACOB.
HENRY GARRAWAY.

G. Cant.
Tho. Cov. & Litch.
T. Wentworth.
H. Danvers.
H. Mandeville.
Arthur Bath. & Wells.
T. Howard.
R. Spencer.

'The Examination of *George Stroud*, *George Kendal*, and *Abraham Dawes*, to prove the ſame, touching the Impoſt not paid, were to the ſame Effect as the above.'

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'As to this Part of the Charge the Lord Treasurer confessed, *That the Lease to* Herriot *was at the Rent of* 5666*l.* 13*s.* 4*d.* *and the Lease to his own Use, (upon the Surrender) at* 2000*l.* *Rent*; *and that he hath let the same at* 6000*l.* per Annum; and affirmed, *That his Majesty was first acquainted with it, and well allowed thereof.* An. 22 James I. 1624. The Lord Treasurer's Defence.

'Hereupon the Lord Keeper signified to the House, that the King had commanded him to tell their Lordships, That his Majesty understood that the Lord Treasurer should gain by his Lease 4000*l.* *per Annum.*—So there was no further Proceeding in that Point of the Charge.

'The Lord Treasurer also confessed, *That he paid* Herriot 14,000*l.* *odd Money*; but affirmed, *That it was a just Debt, and that* Herriot *had a Power to pay himself, by a Privy-Seal, out of his Rent.*

'His Lordship denied, *That he paid* 7000*l.* *of that Debt out of the Tobacco Farm, by way of Anticipation; and said he only transferred it from the Sugars to the Tobacco, and justified the same; for that the King's Meaning was, That he should have* 4000*l.* per Annum *out of the Impost for Sugars, presently upon his Surrender of the Wardrobe: And the King lost not by it, for he, the Lord Treasurer, had, for the Disbursements of the Wardrobe,* 20,000*l.* per Annum, *which he hath now settled at* 16,000*l.* per Annum, *and yet the King's State therein maintained, and a Noble Gentleman rewarded.*

'Touching the slow Payment of his Rent, he denied it not; but said, *He had disbursed as much, or more, before-hand for the King in other Matters.*

'As touching the Impost not returned upon the Exportation of Sugars, his Lordship denied, *That it was ever demanded of him*; and affirmed, *That if it be due, then the Farmers are tied by his Lease to them to repay it; but if they be not so tied, that then he will pay it all, both for the Time past and to come.* And thus ended the Charge for the Sugars.

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An. 22 James I. 1624.

GROCERY.

The Charge as to Groceries.

'Then Mr. Serjeant *Crew* opened the Charge againſt the Lord Treaſurer, touching his Lordſhip's Warrants to levy Compoſitions for Purveyance of Grocery in the Out-Ports, after this Manner, *viz.*

'That the City of *London* did compound with the King for Grocery: But the Out-Ports refuſed, eſpecially *Briſtol*, and yielded to Purveyance in Kind; and that *Briſtol* had an Order for this in the Exchequer, in the Time of *Robert* Earl of *Saliſbury*, late Lord Treaſurer: Yet, notwithſtanding this, the Lord Treaſurer directed his Warrants to levy this Compoſition; and, although it was not due to the King, nor any ſuch Compoſition entered into the Compting-Houſe, his Lordſhip commanded their Goods, then in the Ports, to be ſtayed, and not entered, till it was paid, or Bonds given for it; and thereby conſtrained ſome Ports to pay it, and the Merchants of *Briſtol*, who denied it, to attend his Lordſhip ten Weeks together, to be diſcharged; and yet Bonds were exacted from the Merchants of *Briſtol* for the Payment thereof, after the Lord Treaſurer was acquainted with the ſaid Order in the Exchequer, even till the Summons of Parliament; for which Mr. Serjeant *Crew* charged the Lord Treaſurer with Oppreſſion and Extortion, contrary to his Lordſhip's Oath, *To do Right to the Poor and Rich in ſuch Things as concern his Office.*

'Then the Clerk read the Proofs, *viz.*

The Examination of JOHN GUY *and* JOHN BARKER, *taken the* 21*ſt of* April, 1624.

The ſaid Examinants ſay, 'That in the Time 'of the Lord Treaſurer *Saliſbury*, a Reference was 'made by his Lordſhip to the Lord Chief Baron, 'and Baron *Snigg*, touching a Compoſition then 'demanded of the Merchants of *Briſtol*, for Purveyance for Wines and Grocery; and, upon de-

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liberate Hearing, the Officers of the Houſhold being preſent, it was then reſolved, That they ſhould not be preſſed to thoſe Compoſitions, but ſhould ſubmit to Purveyance when his Majeſty or the Queen came within twenty Miles of that City; and accordingly, at Queen *Anne's* being at the *Bath*, they did ſubmit to Purveyance, to the Charge of 800*l.* yet, in *November* was Twelve-Months, upon a Warrant from the Lord Treaſurer, they were preſſed to pay Compoſition for Grocery, after the Rate as was paid at *London*; and were forced to enter Bonds for Payment or diſcharging by a Day: That hereupon this Examinant, *John Guy*, attended the Lord Treaſurer to be freed, and ſhewed him the Proceedings before mentioned; but could get no other Relief but a Letter, of which he now delivered a Copy to the Lords Committees, which Copy this Examinant had from his Lordſhip's Secretary; ever ſince which Time the Officers have preſſed the Merchants to enter Bonds, till about the Beginning of the Parliament: But, ſince that Time, the Officers have accepted the Merchants Words. *And ſaith*, That the Copy of the Lord Treaſurer's Warrant, or Letter, dated the 20th of *November*, 1622, is a true Copy of the Letter which came to the Port of *Briſtol*, and is now in the Hands of the Lord's Committees; and ſince that, they have attended ten Weeks at one Time, and have had Agents for the City of *Briſtol* three Times, and have ſpent above 100*l.* in Charges, to be eaſed of this Burthen. *And they further ſay*, They never paid any Compoſition for Wines or Groceries, until the Lord Treaſurer's Warrant. An. 22 James I. 1624.

JOHN GUY.
JOHN BARKER.

H. Mandeville. *Theo. Howard.*
H. Southampton.

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An. 22 James I. 1624. *The Information of* JOHN CHAPPELL, *taken upon Oath the 29th of* April, 1624.

'That in the Cuſtom-Houſe of the Port of '*Exeter*, there hath been collected, for the Com-'poſition Money of Grocery, of and from every 'Merchant which hath made any Entry in the ſaid 'Cuſtom-Houſe, ſince the 24th of *November*, '1622, by Warrant under the Hand and Seal of 'the Lord High Treaſurer of *England*, of the 'Goods following, theſe ſeveral Rates,

'Pepper, Cloves, Mace, Nutmegs, Cinamon, 'the C. Wt. ——— xviij d
'Ginger the C. — ——— xij d.
'Raiſins of the Sun, the C. ——— iij d.
'Prunes, the Tun ——— xvi d.
'Sugar, in Loaves ——— vi d.
'Almonds, the C. ——— vi d.
'Currants, the Tun ——— ij s.
'Oil, the Pipe ——— iij s.
'Coarſe Sugar, the C. ——— iij d.
'Figs, the Barrel ——— i d.
'Figs, the Piece ——— iij½ d.
'Figs, the Tapnet ——— ob.
'Raiſins, *Malaga*, the Piece — i d. ob.
'Dates, the C. ——— viij d.
'Rice, the C. ——— iiij d. ob.
'Sugars, Powders, Whites and Muſcavadoes xx d.
'Olives, the Tun ——— iiij d.
'*Caſtile*, *Venice*, and other Kinds of Cake Soap, 'the C. ——— vi d.
'Anniſeeds, the C. ——— ij d.
'Sugar refined, the C. ——— viij d.
'Liquorice, the C. ——— ij d.

'The Merchants Entries in the Cuſtom Houſe, 'for any of theſe Goods, could not be allowed be-'fore they had compounded with the Aſſigns of 'Mr. *Abraham Jacob*, to pay the ſaid Compoſition 'Money, ſpecified in theſe ſeveral Rates.

JOHN CHAPPEL.

H. Mandeville. *Ro. Spencer.*
H. Southampton.

'Then

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'Then were read, the Lord Treasurer's general Warrants to *Abraham Jacob*, to levy the said Composition, and not to suffer any Goods to be landed, *&c.* in *London*, and the Out-Ports, until the said Composition be first duly satisfied, and paid as hath been accustomed:' An. 21 James I. 1624.

'The Copy of the Lord Treasurer's Letter to the Customers of *Bristol*, reciting a Composition for *Grocery*, and that heretofore divers Letters and Warrants have been sent to *Bristol*, and all other Ports, for the Collection thereof by the late Lord Treasurer *Dorset*; and commanding that no Goods be permitted to be landed, *&c.* until the said Composition be paid, and to be aiding for the due Collection thereof, according to the said Letter, dated the 20th of *November*, 1622:'

'The Copy of the Treasurer's Letter to the Customers of *Bristol*, dated *February* 24th, 1622. Wherein his Lordship takes Notice of an Agreement made between the late Lord Treasurer *Salisbury* and them of *Bristol*, touching the Composition for *Spices*; and requires the Officers to accept of the Merchants Bonds, with Sureties for the Payment thereof, until he had fully considered of the said Agreement:' Also,

'The Relation of *Thomas Griar* upon Oath, That this Composition is demanded and paid in *Weymouth*, and their Goods not suffered to be landed until it be paid:' And

'The Lord Treasurer's Warrant to *Poole*, for the Collection of the said Composition, dated the 24th of *April*, 1622.'

The Lord Treasurer answered, *That herein he did but his Duty; and that if he had neglected it, he had not done his Duty: That he required nothing to be done, by his Warrants, but what was accustomed in Queen* Elizabeth's *Time, and in all the King's Time: That his Warrants were according to the usual Form, and general to all the Ports, not knowing that* Bristol *was exempted by the Order in the Lord Treasurer* Salisbury's *Time, until afterwards: That when he knew of it, he yielded to their Request,* The Lord Treasurer's Answer thereto.

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An. 22 James I. 1624. *Request, and* Guy *went away well satisfied with his Answer: And that none had Benefit by the Composition, but the King only.*

'The Clerk read the Examinations taken on his Lordship's Behalf, *viz.*

The Examination of Sir SIMON HARVEY.

'That Composition for *Grocery* was usually 'collected in all the Out-Ports (save *Exeter* and '*Bristol*) in the Lord of *Dorset's* Time; and that 'himself received the same for four or five Years; 'and that they were but for petty Things, for the 'most part Things brought in by way of Reprisal, 'in the Time of Queen *Elizabeth*. That Mr. '*Jacob* was appointed to levy the same for the 'King. That the Citizens of *Bristol* did acquaint 'the Lord Treasurer with the Order to exempt 'them from Composition, and the Lord Treasurer 'sent this Examinant to treat with them to yield 'to Composition, which they denied: Whereupon 'the Lord Treasurer answered, *Let them stand to* 'the Earl of Salisbury's *Order*; other Discharge he 'gave them none: And this Examinant thought 'they went away well satisfied, for they heard 'what the Lord Treasurer said.'

The Examination of JOHN CLARKE.

'That Mr. *Jacob* was appointed to levy the same 'Composition, by Warrant from the Lord Trea-'surer; the Ground whereof was, because the re-'ceiving thereof was taken away from *Thomas Bar-'ret*, the King's Grocer, who had given 1200*l.* 'And that those Duties had been duly levied in 'some of the Out-Ports, but *Exeter* and *Bristol* stood 'out; he hath not known any of those Duties ta-'ken since the Queen was at the *Bath*; and that 'there is a Table in the Custom-House of *London*, 'to shew the Composition for *London*.'

'Mr. Serjeant *Crew* replied, That there is no Table in the Custom-House, to shew any Compo-

I sition

fition for the Out-Ports; and caused the Clerk to read the Examination of *John Guy*, on the Part of the Lord Treasurer, taken *May* 1st, 1624, which agrees, in effect, with his former Examination, taken for the King; and that after he, and others of *Bristol*, had long petitioned the Lord Treasurer to have their Bond cancelled and delivered, which they had entered for the Payment of the said Composition, they could not obtain any thing, save some good Hopes and fair Words from Sir *Simon Harvey*; and that their Bonds are yet detained.' An. 22 James I. 1624.

The Lord Treasurer affirmed to the Lords, *That himself knew this Composition to be paid by the Out-Ports, and that his Warrant was only to levy the same, as formerly it had been paid; and promised to send* Barret's *Books and some Notes out of the Compting-House, to prove the Payments thereof heretofore by the Out-Ports.* Then the Lord Treasurer was withdrawn.

'Ordered to be here again at the Bar at Two this Afternoon, and agreed to have a Stool whilst the Charge is in giving.'

Post Meridiem. 'The Lord Treasurer being brought to the Bar (in manner as before, and a Stool set for his Lordship,) He informed the House, *That, (according to his Promise this Morning,)* Barret *is come with Account touching the* Grocery *paid at* Bristol; *and it was agreed that they should be brought to the King's Council, to be perused.*'

'Mr. Attorney General proceeded to the Charge concerning the *Office of the Ordnance*, and the *unlawful Bargain for Sir* Roger Dallison's *Lands*, in this Manner, *viz.*

'That another Charge whereof the Lord Treasurer is accused, is concerning the Office of Ordnance, and the unlawful Bargain for *Dallison's* Lands; in which will appear that the Lord Treasurer, for his own private Benefit, contrived and prosecuted divers unlawful Bargains; and in the mean Time neglected wholly that which concerned the Public, which was the furnishing the Office of Ordnance with

The Charge as to unlawful bargaining for Sir Roger Dallison's Lands.

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An. 22 James I. 1624. with Emptions and Stores, for the Safety of the King and his Kingdoms.

'Concerning the Bargains, it ſtands proved, That Sir *Roger Dalliſon*, being Lieutenant of the Ordnance, became indebted to the King in 9962*l.* for Monies impreſſed for that Office, but not employed: And that Sir *Roger Dalliſon* and Sir *Thomas Mounſon* were indebted to the King by Bonds to the Value of 3100*l.* which Bonds were forfeited for not bringing certain Stores to that Office; both which Debts amounted to 13,062. and the Lands of *Dalliſon* were extended for 9962*l.* and the Lands of *Mounſon* for 3100*l.* And that *July* 20, 18 *Jac.* the King aſſigned theſe Extents to *Francis Morrice*, Clerk of the Ordnance, and others in Truſt for the Officers and Creditors of that Office, towards Satisfaction of ſo much of their Debts.'

'The Lord Treaſurer, being a Commiſſioner for his Majeſty's Debts, *July* 28th, 1621, 19 *Jac.* bargained for thoſe Extents; and by the Articles under his Hand agreed to give for them 1062*l.* in Hand, and 12,000*l.* more by 1000*l.* *per Annum*, for twelve Years, beginning at *Lady-Day*, 1623; and alſo to do his Endeavour to procure Payment of an Arrear of 8000*l.* more, due to that Office from his Majeſty: But, before this Bargain was performed, at *Michaelmas* following, he became Lord Treaſurer; and when they expected Payment of the 1062*l.* and Security for the reſt, he propounded that, in lieu of the 12,000*l.* to be ſecured, they ſhould have his Part in the Farms of the Petty Cuſtoms for nine Years, valued to be worth 1000*l.* *per Annum*, for the two firſt Years, and afterwards 1400*l.* *per Annum*, which, according to that Rate, would yield in nine Years 11,800*l.* but coſt his Lordſhip only 3750*l.*

'He being then Lord Treaſurer, on whom they muſt depend both for the Payment of the Arrears, and for future Favours, they accepted it; not meaning to loſe their 1062*l.* payable in Hand, but it

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was then again directly agreed they should be paid their 8000*l.* Arrear out of his Majesty's Coffers.' An. 22 James I. 1624.

'In *February* 1621, Assurances were prepared, and the Creditors required to seal, being promised to have at the Sealing their 8000*l.* Arrears, and expecting their 1062*l.* from the Lord Treasurer, whereof they never conceived a Doubt; but so soon as they had sealed, they were sent away without any Money, being promised to receive their 8000*l.* within three or four Days after, which was not performed in so short a Time; but was, after, paid in divers several Payments out of his Majesty's Money: But the 1062*l.* which was to have come from himself was absolutely denied, the Lord Treasurer affirming, that as well that 1062*l.* as the other 12,000*l.* was all concluded and recompensed by the Interest in the Petty Farms; whereupon a new Difference grew against them: But in the end they were enforced, in lieu of that 1062*l.* to accept of a further Interest, which his Lordship had in the Petty Farms, for an Half-year after the nine Years were expired, esteemed worth not above 400*l.* to be sold: And it was then further agreed, that his Lordship should then pay them out of the King's Money 4000*l.* due to the Office over and besides the former 8000*l.* of which 4000*l.* his Lordship hath since caused to be paid 3303*l.*'

'But whereas the Petty Customs were valued to them to be worth for the first two Years 1000*l. per Annum*, it appeareth that, in the two first Years, it yielded them but 1419*l.* 17*s.* 7*d.* being all the Money that grew due to them out of the Profits of those Farms at *Michaelmas* last; whereas if they had kept their Extents of *Dallison's* and *Mountfort's* Lands, they should have received by *Lady-Day* last almost 7000*l.* for Part of their Debt.'

'In which Bargain, (besides the Oppressions and Extremities put on the poor Creditors and Officers of the Ordnance, that might ill undergo a Bargain of so much Disadvantage and Loss,) are observed two Corruptions; the one, in bargaining to pay the 8000*l.* Arrears, for though that was agreed before

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An. 22 James I. 1624.

fore he was Lord Treaſurer, yet he then was truſted as a Commiſſioner for the King's Debts; and, being after Lord Treaſurer, performed that corrupt Agreement made before.'

'The other Corruption was, in agreeing to pay the other 4000 *li* for as it is a Corruption in a Treaſurer to pay the King's due Debt for Money given unto himſelf; ſo it is to pay the King's Debt, for gaining to himſelf a Bargain by which he either had or did expect Advantage; and though the Lord Treaſurer, in his Anſwer, doth pretend he is a Loſer by *Dalliſon's* Lands, it is certain that whatſoever his Gain or Loſs prove upon the other Bargains for the Inheritance of the Lands, this Bargain with the Officers, taken by itſelf alone, was beneficial; and if it were not, it is all one: For if a Judge, or Treaſurer, bargain for a Bribe, though he never receive it, he is corrupt; for it ſkills not what he had, but what he aimed at and expected.'

'About the ſame Time that the Lord Treaſurer bargained for the Extent aforementioned, *viz.* 28 *July*, 19 *Jac.* he contracted with Sir *Thomas Mounſon*, for the Inheritance of the ſame Lands.'

'For Sir *Roger Dalliſon*, after he became Lieutenant of the Ordnance, conveyed the Inheritance of his Lands to ſecure Sir *Thomas Mounſon* of divers great Debts and Engagements; ſo as the Inheritance of thoſe Lands, after the King's Extent, was in the Diſpoſe of Sir *Thomas Mounſon*, who bargained for it with the now Lord Treaſurer; and upon that Bargain, the Lord Treaſurer agreed to free Sir *Thomas Mounſon's* own Lands of the 3100*l.* Debt, to pay in 3000*l.* in Money, and to procure the making of him ſix Baronets and ſome other fit Suit from the King; and when the Baronets could not be obtained, the Number being full then, the Lord Treaſurer procured him another Suit of 2000*l.* Value, as his Lordſhip eſteemed it, *viz.* For compounding with the King's Copyholders of *Wakefield*, to reduce their Fines to Certainty, for which Suit the Lord Treaſurer was a Referee from the King; and, for Accompliſhment of this Bargain, made

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made for his own private Gain, he gave way to that Suit whereby ſo much was to be taken for his Majeſty: Yet there reſted another Bargain to be made, for Sir *Thomas Dalliſon*, the Son and Heir of Sir *Roger Dalliſon*, pretended Title to thoſe Lands by an old Entail; and the Lady *Dalliſon*, Widow of Sir *Roger Dalliſon*, claimed to have the third as her Dower; and the Lord Treaſurer having entred into Treaty with them, and finding their Demand not ſuitable to his Deſires, he, to make them the more compliant, threatens them, by his Extent, to keep them without any thing for an hundred Years; to lay upon Sir *Thomas Dalliſon* certain forfeited Bonds, which, upon the Agreement with the Officers of the Ordnance, were transferred to him; and he ſends for Sir *John Wolſtenholme*, whoſe Son had married Sir *Thomas Dalliſon's* Siſter, and rebukes him as an Hinderer of his Lordſhip's Proceedings with *Dalliſon:* And by theſe and other like Means, for an Annuity of 200*l. per Annum*, procures a Releaſe of their Title; and whereas Sir *Roger Dalliſon*, being poſſeſſed of a Leaſe of great Value, had aſſigned the ſame to Sir *John Davis*, for Security of Money owing to him and Sir *Richard Smith*, which Leaſe, for Non-payment, had been long forfeited, and the Poſſeſſion gotten by Sir *John Davis* upon a Trial and Recovery at Common Law, which Poſſeſſion had continued divers Years; the Lord Treaſurer, by this Agreement with Sir *Thomas Dalliſon* and his Mother, by way of unlawful Maintenance and Champarty, bought their Title to this Leaſe; and having hedged in thoſe Lands and the Title to this Leaſe, exchanged the ſame with Sir *Arthur Ingram* for other Lands; and then to gain the Poſſeſſion of thoſe Leaſe-Lands from Sir *John Davis* and Sir *Richard Smith*, and to make good this Exchange, an old Outlawry againſt Sir *Roger Dalliſon*, before the Aſſignment made by him to Sir *John Davis*, is fought out, the Debt being many Years paſt ſatisfied; by colour of which Outlawry and the Power and Countenance of the Lord Treaſurer, this Leaſe was ſeized

An. 22 James I. 1624.

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An. 22 James I. 1624. seized into the King's Hands, and Sir *Richard Smith* and Sir *John Davis* thrust out of Poſſeſſion; whereupon they endeavoured to reverſe the Outlawry in the Common Pleas, and the better to effect it, they procured an Adminiſtration of the Goods of Sir *Roger Dalliſon* to be taken by one *Cambon* a Creditor of Sir *Roger's*, to the intent the ſaid Adminiſtrator might ſue to reverſe this Outlawry; but the Lord Treaſurer to prevent them therein, interpoſeth in the King's Name, and in his Majeſty's Behalf, to revoke that Adminiſtration; and the better to countenance the Buſineſs, ſends a Caſe to the King's Attorney grounded upon other Matters, without mentioning the Outlawry, which was the chief Thing in queſtion; and having obtained his Opinion in that Caſe, ſends a Warrant to the King's Advocate, to proceed in the Eccleſiaſtical Court as for the King; and in a Matter much touching the King, to proceed for Reverſal of the Adminiſtration; and in the end, by his Means, the Adminiſtration was revoked; and afterwards, the Matter coming in queſtion in the Common Pleas, there alſo he interpoſed himſelf; and ſent to the Judges of that Court, whereby Sir *Richard Smith* and Sir *John Davis* were at laſt enforced to accept of a Compoſition: Now, in Truth, this Matter no ways concerned the King, for this Leaſe was never extended for *Dalliſon's* Debt; and before the Lord Treaſurer interpoſed in the Eccleſiaſtical Court, he had cauſed a Petition to be made in the Name of Sir *Thomas Dalliſon* and his Mother to the King; and a Reference thereupon to himſelf for this Leaſe, among other Things; it being ſecretly agreed between him and *Dalliſon*, that the whole Benefit of this Leaſe, when his Majeſty ſhould be pleaſed to paſs it, ſhould be at the Diſpoſe of the Lord Treaſurer.'

'And whereas the Lord Treaſurer would excuſe thoſe Proceedings, as being after he had transferred all to Sir *Arthur Ingram*: It is evident that the Lord Treaſurer thus interpoſed; which muſt be either for his own Benefit, to ſupport his own Bargain, or

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or meerly by way of Maintenance; and, either Way, his Doings are moſt unwarrantable, to uſe ſuch Rigour in the King's Name, either for himſelf or Sir *Arthur Ingram*.' An. 22 James I. 1624.

'Mr. Attorney having thus opened the former Part of this Charge, the Clerk, by his Directions, read the Proofs, *viz.*

'The Copy of that Agreement, made the 28th of *July*, 1621, between the Lord *Cranfield* and the Officers of the Ordnance, delivered upon Oath by *Francis Morrice*, the 3d of *April*, 1624; whereby the Lord Treaſurer doth promiſe and agree with the Officers of the Ordnance, ſo ſoon as he may conveniently, to do his beſt Endeavour to procure from his Majeſty a certain Aſſignment and Order for the Payment of the Sum of 8000*l.* unto the Lieutenant of the Ordnance, or his Deputy, to the Uſe of the ſaid Officers, before the laſt Day of *November* next, towards the Payment of ſuch Sums as are due, over and above the Sum of 13,062*l.* for Payment whereof the ſaid Officers have the Leaſes of the Lands of Sir *Roger Dalliſon* and Sir *Thomas Mounſon*.' The Proofs thereof.

Note, That this Agreement alſo proves the Bargain made by the ſaid Lord *Cranfield*, with the Officers of the Ordnance, for the ſaid Leaſes of the Extents, in Manner as it is cited by Mr. Attorney.

'And the Examination of *Francis Morrice*, Clerk of the Ordnance, taken the ſaid third Day of *April*, which affirms the ſaid Bargain made by the ſaid Lord *Cranfield*; and that the ſaid Lord *Cranfield* becoming Treaſurer, the Payment on his Part did not proceed; but his Lordſhip, upon a new Agreement, did aſſign to the ſaid Officers certain Leaſes, which were far over-valued unto them by his Lordſhip; and that his Lordſhip did not procure the ſaid Affignment of 8000*l.* according to his Agreement, but hath ſince given Satisfaction of the ſaid 8000*l.* and more, in ſeveral Payments out of his Majeſty's Receipt.'

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Ann. 21 Jacobi I. 1624. 'And then was read the Depoſition of *Lewis Tate*, containing a brief Relation of the Lord Treaſurer's Dealings with certain Petitioners to his Majeſty, for Debts owing to him in the Office of Ordnance; whereby it is alſo proved, That the ſaid Treaſurer was then a Commiſſioner for the King's Debts, and did wiſh the ſaid Officers to accept of the ſaid Leaſes of Sir *Roger Dalliſon's* and Sir *Thomas Mounſon's* Lands, &c. and ſets out the whole Proceedings of the Lord Treaſurer therein at large. And the Examination of *John Fletcher*, touching the ſaid Agreement made by the Lord *Cranfield*, and the Promiſe to procure the ſaid 8000*l.* &c.'

The Lord Treaſurer's Anſwer. 'And more Proofs offering to be read, the Lord Treaſurer ſaid, *It is true that he, being a Commiſſioner for the King's Debts, did adviſe the ſaid Officers of the Ordnance to accept of a Leaſe of the Lands of* Sir Roger Dalliſon *and* Sir Thomas Mounſon, *extended for the King for* 13,062*l.* viz.

Of Sir Roger Dalliſon's *Lands, extended for* 9962*l. and of* Sir Thomas Mounſon's *Lands for* 3100*l. and they did accept of them for Payment of* 13,062*l. due to them by the King, with a Covenant to reſort to the King, if they were interrupted in the Poſſeſſion of thoſe Lands.*

And that he did then find, that there was due unto the ſaid Officers, by the King, about 20,000*l.*

That the ſaid Lands of Sir Thomas Mounſon *were worth* 1600*l.* per Annum, *and were extended but at* 200*l.* per Annum, *Sir* Thomas Mounſon *hoping to have had the Benefit thereof for himſelf. But, by Sir* Edward Coke's *Rule, it was paſſed over to the Creditors. That Sir* Thomas Mounſon *often petitioned the King, and his Majeſty referred Sir* Thomas Mounſon *to the Lord Preſident and him. That they treated with the Officers, who anſwered, That they relied on Sir* Thomas Mounſon's *Lands, for that Sir* Roger Dalliſon's *Lands were ſo much incumbered, that they would yield little; yet the Exchequer Chamber would have relieved Sir* Thomas Mounſon, *if he had paid the Debt for which the*

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Lands were extended; and then the Officers must have resorted to the King for Recompence: And that if his Lordship gained in that Covenant, by his Bargain with the said Officers, so it was beneficial to his Majesty. And his Promise to the Officers to help them to their 8000l. Arrear, being a just Debt, was before he was Treasurer; and that it is Heathen-Greek *to him, how this should be prejudicial to the King.* 20 Jacobi. 1624.

'To this Mr. Attorney replied, and affirmed the Bargains to be unlawful as before; and that there was not 8000*l.* Arrear due by the King before his Lordship was Treasurer; and then proceeded to the reading of the other Proofs. Mr. Attorney replies and produces further Proofs.

'To prove that, about *July* 1621, his Lordship contracted with Sir *Thomas Mounson* for his Lands for 3000*l.* which was paid him, for the making of six Baronets, and a Suit to the King; and, in lieu of the Baronets, a Suit touching the Copyholders of *Wakefield*, valued by his Lordship at 2000*l.* were read,

1. 'The Examination of Sir *Thomas Mounson*, taken the 5th of *April*, 1624.'

2. 'The Examination of Sir *Arthur Ingram*, taken the 12th of *April*, 1624.'

'For the 3000*l.* and that he signified unto Sir *Thomas Mounson*, that the Lord Treasurer would undertake to procure him the Making of six Baronets; for that the Lord Treasurer had told him, he found the King inclinable to do Sir *Thomas Mounson* good.'

3. 'The Copy of Sir *Thomas Mounson's* Petition to the King, for reducing the Fines of the Copyholders of *Wakefield* to a Certainty, in lieu of some Baronets formerly granted him; and the Warrant thereupon, signed by the Lord Treasurer and Sir *Humphry May*, (to whom it was referred) delivered upon the Oath of Mr. *Brewster*, the 16th of *April*, 1624, was also read.'

'And the Examination of Sir *Humphry May*, Knight, Chancellor of the Duchy of *Lancaster*,

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An. 22 James I. 1624. taken the 4th of *May*, 1624, *ex Parte Domini Thesaurarii*, That he was present when Sir *Arthur Ingram* did, on the Lord Treasurer's Behalf, bargain with Sir *Thomas Mounson* for his Lands; which Bargain was, That the Lord Treasurer should give Sir *Thomas Mounson* 3000*l.* should procure him the making of six Baronets, and should extend *Dallison's* Lands unto him at 1200*l. per Annum*; and afterwards, the Baronets being otherwise disposed of by the King, Sir *Thomas Mounson* petitioned the King touching the Copyholders of *Wakefield*.'

'Unto which the Lord Treasurer answered, *That he never promised the Making of the Baronets, nor authorized Sir* Arthur Ingram *to propound it*.'

'Then was read, to prove the Lord Treasurer pressed Sir *Thomas Dallison* to part with his Estate at Undervalue:

1. 'The Examination of Sir *Thomas Dallison*, Bart. taken the 6th of *April*, 1624.

2. 'The Examination of the said Sir *Thomas Dallison*, taken the 12th of *April*, 1624.'

3. 'The Examination of Sir *John Wolstenholme*, taken the 16th of *April*, 1624.'

'And to prove that the Lord Treasurer, having made these Compositions, sets on foot an old Outlawry of Sir *Roger Dallison*, long since satisfied, thereby to wrest a Lease of great Value from Sir *Richard Smith* and Sir *John Davis*, interposing the Power of his Place, and the Countenance of the King's Service, to oppress them for his own private Ends, these Examinations were read, *viz.*

1. 'The Examination of Sir *Thomas Dallison*.'

2. 'The Examination of Sir *Arthur Ingram*, *ex Parte Domini Thesaurarii*, taken the 7th of *May*, 1624, to the 7th Interrogatory.'

3. 'The Examination of Sir *Richard Smith*, taken the 16th of *April*, 1624.'

4. 'The Examination of *Robert Easton*, taken the 27th of *April*, 1624.'

5. 'The Case brought to Mr. Attorney, by Mr. *Moyle*, with his Direction.'

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Memorandum, That, in that Caſe, no Mention is made of any Outlawry; but that the King was unſatisfied of *Dalliſon's* Charge. An. 22 James I. 1624.

6. 'The Lord Treaſurer's Letter to Dr. *Ryves*, the King's Advocate, to revoke the Letters of Adminiſtration of *Dalliſon's* Goods.

'Theſe being read, the Lord Treaſurer again affirmed, *That his Bargain with the Officers of the Ordnance was beneficial for the King, for it gained in his Majeſty's Covenant of Reſort from the Officers.* And ſaid further, *That it was not prejudicial to the Officers; for if his ſecond Bargain be not as beneficial to them as the firſt ſhould have been, he is to make it good.*

And that Sir Thomas Dalliſon, *and his Lady Mother have Relief thereby, and himſelf a great Loſer, at leaſt* 4000*l. having taken up* 16,000*l. for it, for which he pays Intereſt at this Day.*

And his Lordſhip denied, *That he drew the Caſe, delivered to Mr. Attorney, touching the Adminiſtration of* Dalliſon's *Goods*; and ſaid, *He deſerved to be hanged that drew it.* And, having ſpoken as much as he could, the Clerk read the Heads of the Examinations taken on his Part; and Mr. Attorney confeſſed them, and avoided them all; wherewith his Lordſhip ſeemed to reſt ſatisfied, for he did not require any thing elſe to be read: But ſaid further, *That he had paid Arrears to the Officers of the Navy, as well as thoſe of the Ordnance; which ſhews he did not pay them by way of a Bargain only.* And then ſaying, *He would add no more*, he was withdrawn.' The Lord Treaſurer's Anſwer thereto.

'Then it was agreed that Mr. Attorney ſhould begin To-morrow, where he now left, with the reſt of the Charge; and that the Lord Treaſurer be warned to appear here again at the Bar To-morrow Morning at Nine of the Clock.'

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An. 22 James I. 1624. *May* 11. A Petition of the Lord Treasurer was read, *in hæc Verba:*

To the Most Honourable Assembly of the Lords Spiritual and Temporal, in the High House of Parliament assembled.

His Petition for further Time, on account of Sickness.

With most humble and thankful Acknowledgement of your Lordships honourable Patience, in hearing those Parts of my Cause which are already opened, I am now most humbly to beseech your Pardon of mine Appearance before your Lordships this Day; finding myself so distempered in my Body, and my Spirits so weakened and spent, as, out of Necessity, enforceth me to be an humble Petitioner unto your Lordships for this little Respite of Time; my End and Desire herein being to enable myself to obey all your Commands, and to hasten the End of this Cause of mine; whereof I doubt not but your Lordships, in a true and noble Sense of my Cause, will honourably consider accordingly.

MIDDLESEX.

A Committee of Lords appointed to visit him.

'The House having considered of this Petition, appointed the Earl of *Southampton*, the Earl of *Essex*, the Bishop of *Coventry* and *Litchfield*, the Bishop of *Bangor*, Lord *Cromwell*, Lord *Say* and *Seale*, to go presently to the Lord Treasurer's House, and to take a Physician with them; and to signify to his Lordship the Displeasure of the House, for that he hath first taken Leave of himself to be absent, and now craves Pardon for it; whereas his Lordship ought first to have craved Leave to be absent. And also to signify unto his Lordship, (unless they shall see Cause to the contrary by reason of his Sickness) that the Pleasure of the House is, That his Lordship appear here this Afternoon, at Two of the Clock; and that if his Lordship shall fail to come accordingly, that the House will proceed, as well touching such Parts of his Charge as are already opened, as for the rest of his Charge also.'

'These

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'These Lords being returned from *Chelsea*, where the Lord Treasurer then lay, the Earl of *Southampton* reported, That they delivered the said Message unto his Lordship, whom they found in his Bed, but not sick, for ought their Lordships or the Physician could perceive; neither did his Lordship pretend any Sickness. And their Lordships having delivered their Message unto him, he excused his not asking of Leave first to be absent; *for that he had not Warning to be here this Morning until after the House was risen the last Night; and since the Pleasure of the House is such, he will attend this Afternoon, if he hears not, by some Message from their Lordships, that they will be pleased to respite him till To-morrow Morning.*' An. 22 James I. 1624.

'And the Earl of *Essex* made this further Report, *viz.* Having this Day delivered to the Lord Treasurer the Message we were commanded by the House, his Lordship (besides the Answer that hath been returned to the House) did let fall these Speeches in Substance; *For a Man to be thus followed, Morning and Afternoon, standing eight Hours at the Bar, till some of the Lords might see him ready to fall down; two Lawyers against him, and no Man of his Part, was such Proceedings as never were heard of; and he knew not what it meant, for it was unchristian-like and without Example; and desired they would deal with him as he would deal with one of them; for it was his Case To-day, and might be theirs To-morrow.*' This Answer was signed by these Lords, *viz.* To whom he complains of hard Usage.

H. Southampton. *Lewis Bangor.*
Ro. Essex. *Tho. Cromwell.*
Tho. Cov. & Litch. *W. Say & Seale.*

'*Post Meridiem.* The Lord Treasurer being brought to the Bar (as before) the Clerk read that Part of the Charge against his Lordship that concerned the

MUNITIONS.

'The Lord Keeper moved that Mr. Attorney do keep himself to that Charge.' The Charge as to Munitions.

Mr.

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An. 22 Jame. II. 1624.

'Mr. Attorney proceeded in this Manner, *viz.*

'As in the Bargains and Proceedings (which were opened Yesterday) the Lord Treasurer was over much attentive to his own private Profit, so in the Supply of the Office of Ordnance (a Matter of high Importance for the Safety of the King and his Kingdoms, and in a Time when all *Christendom* besides ourselves was in a Combustion,) he was wholly remiss: For whereas, by a Privy-Seal in 6 *Jac.* there was a private Establishment of 6000*l. per Annum*, for the Office of Ordnance, which being put out of Order in the Time of Sir *Roger Dallison*, about 12 *Jac.* the Lords of the Council, in *November* 1617, upon Reference from the King, set down a Proportion of Supply, amounting to 54,078*l.* 8*s.* 8*d.* and the standing Allowance of 6000*l. per Annum* to continue. And after in *February* 1619, there being a Commission awarded to the Commissioners of the Navy, to survey the Office of Ordnance, the said Commissioners (the Lord Treasurer himself being a chief Man among them) set down a Proportion of Supply amounting to but 13,640*l.* 14*s.* 2*d.* and a yearly Allowance of 3000*l.* retrenching it to that Rate from 6000*l.* and did set down a Course that this being observed, a needless Charge of about 10,000*l. per Annum* should be cut off, and this was allowed both by the Lords and by the King himself.'

'The Earl of *Middlesex* becoming Treasurer about *Michaelmas* 1621, and having continued in that Office about two Years and a Half, did observe none of these Establishments; whereby the Office is at this present both unrepaired and unsupplyed, and the Kingdom of *Ireland* destitute of any considerable Quantity of Arms and Munition: For it appears by the Records of the King's Receipt, That all the Monies which the Lord Treasurer in his Time issued for a Supply of the Ordinary of the Office of Ordnance, was but 13,034*l.* 8*s.* 11*d.* of which 8000*l.* and odd Pounds was for old Arrears, 3300*l.* more grew due of latter Time, but were paid, not out of Duty, or Care of the Public,

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lic, but by Bargain and Contract: And moſt of theſe Monies iſſued (beſides old Arrears) were for Wages and Allowances of Officers, and little or nothing for Stores and Proviſions. For upon the Quarter-Books paid by his Lordſhip, beginning at the Quarter-Book ended *ultimo Junii* 1620, unto the Quarter-Book ended *ultimo Decembris* 1622, there being about 5500*l.* paid, 4600*l.* and odd thereof went to the Officers, but the Stores and Proviſions amounted to but 900*l.* and odd Pounds: A weak Supply in ſo long Time. An. 22 James I. 1624.

'And whereas in *April* 1621, a Contract was made with Mr. *Evelyn*, for ſerving his Majeſty with 80 Laſts of Powder yearly, by monthly Proportion, at 7*d.* the Pound, which Proportion being kept would have yielded a plentiful Supply into the Office of Ordnance, and the Overplus might have been ſold at 3*d.* the Pound Profit to his Majeſty. The Lord Treaſurer (though he was continually ſollicited by *Evelyn*) did not make the Payment, which ſhould have been made upon that Contract; whereby *Evelyn*, according to the Liberty that was allowed by his Contract, ſold his Powder to others; and, in thirty-five Months after that Contract, ſerved into the Stores but fifteen Month's Proportion; and upon Breach of this Contract did enſue theſe Inconveniences, *viz.*

'That the Stores which, for the Service of all his Majeſty's Kingdoms, might have had in Readineſs 266 Laſts of Powder, and 60 Laſts of Salt-Petre, which would have really made 80 Laſts of Powder more, (in all 346 Laſts) are greatly injured by this Neglect: For, upon a late Survey, there were in all but 130 Laſts in the Stores, and yet *Ireland* wholly diſfurniſhed: And beſides, his Majeſty, by Sale of the Overplus of the Powder alone (above the Proportion thought fit to be kept by the Commiſſioners of the Navy) might have gained 3*d.* in every Pound, which would have amounted to 4050*l.* and above, all which his Majeſty loſt by this Default of the Lord Treaſurer. And whereas his Lordſhip excuſeth theſe Things,

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An. 22 James I. 1624. by pretence of *Sadler's* Complaints, it appeareth that those Complaints grew by Occasion of *Evelyn's* selling of Powder to others, not to the King; which had never been if he had had due Payment: And the Lord Treasurer was warned, both by the Lord *Crew* and by the Commissioners of the Navy, to have special Care of these Points, to save the Contract, it being of high Consequence.'

'Then the Clerk read the Proofs, *viz.*'

Proofs thereof. 'To prove that the King granted a dormant Privy-Seal *May* 28th, 6 *Jac.* for the issuing 6000*l. Per An.* for the Office of the Ordnance were read,

'The Copy of the said Privy-Seal, to prove that this Allowance was paid until *April* 1st, 1614, and about that Time the Office was put out of Order by Sir *Roger Dallison*, and he grew into great Arrears to the King.'

'A Declaration (by the Officers of the Ordnance delivered upon Oath *April* 6, 1624,) of the Cause of the present Weakness of the Stores of his Majesty's Office of the Ordnance.'

'To prove that in *November* 1617, the Lords, upon a Reference from the King, did set down a Proportion of Supply amounting to 54,078*l.* 8*s.* 8*d.* was read the said Declaration of the Officers of the Ordnance.'

'To prove that in *February* 1619, the King granted a Commission unto the Commissioners of the Navy, to survey the Office of the Ordnance, and that in *July* 1620, the Commissioners of the Navy (the Lord Treasurer being one) returned a Certificate for Supply of the said Office with 13,640*l.* 14*s.* 2*d.* and to retrench the Ordinary from 6000*l.* to 3000*l. per Annum*, to cut off some needless Charges, amounting to 10,000*l. per Annum:* And that this was allowed by the King, and the Lords, was read,

'The Deposition of Mr. *John Cooke*, the 5th of *April*, 1624.

'To prove that in *October* 1621, the Earl of *Middlesex* became Lord Treasurer, and that in two Years

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Years and a Half he purſued none of theſe Eſta- An. 22. James I. 1624.
bliſhments, was read,

'The ſaid Declaration of the Officers of the Ordnance, and the ſaid Depoſitions of the ſaid Mr. *John Cooke*.'

'To prove that, by this Means, the ſaid Office is both unrepaired and unſupplied, and *Ireland* hath not any fit Proportion of Munition, was read,

'The ſaid Declaration of the Officers of the Ordnance, and the ſaid Depoſitions of the ſaid Mr. *John Cooke*, as touching the Office of the Ordnance:'

'And the Abſtract or Eſtimate of all the Armour, Arms, Powder, Lead, and Hand-Weapons, remaining in the ſeveral Store-Houſes within the Realm of *Ireland*, the 1ſt of *March* 1623, delivered upon Oath by the Lord *Cranfield*.'

'To prove that in *April* 1621, a Contract was made with *John Evelyn*, to ſerve 80 Laſts of Powder yearly, at 7*d*. the Pound, and that this Contract hath been broken in the Lord Treaſurer's Default, whereby there was 216 Laſts of Powder leſs in Store than would have been, and the King hath loſt 4050*l*. in the Sale of 80 Laſts of Powder which he might have ſold, if that Contract had been obſerved at 10*d*. the Pound, the King paying but 7*d*. and that the Lord Treaſurer was warned thereof, were read,

'The ſaid Depoſitions of Mr. *Cooke*:'

'The ſaid Declaration of the Officers of the Ordnance:'

'The Examination of *John Evelyn*, taken the 9th of *April*, 1624:'

'The ſaid Examination of *John Evelyn*, taken on the Part of the Lord Treaſurer, the 5th of *May* 1624:'

'And the Examination of *Nicholas Scott*, taken on the Part of the Lord Treaſurer, the 4th of *May* 1624:

'The Lord *Crew's* Letter to the Lord Treaſurer, the 6th of *November* 1621:'

'Two

An. 22 James I. 1624.

'Two Certificates of the Commiſſioners of the Navy, the one of the 9th of *May* 1622, and the other the 4th of *November* 1622, depoſed by *John Evelyn*, 9th of *April* 1624:'

'And an Abſtract of the Money paid out of the Receipt of his Majeſty's Exchequer, for Charges of the Office of Ordnance, from *Michaelmas* 1621, in the 19th Year of his Majeſty's Reign, until the 2d of *April* 1624, examined and delivered by Sir *Robert Pye*, Auditor of the Receipt of the Exchequer, was alſo read, to ſhew what the Lord Treaſurer had paid concerning that Office.'

The Lord Treaſurer's Objections to Mr. Attorney's Manner of Proceeding.

The Lord Treaſurer anſwered, *I had need, in the firſt Place, to pray for Patience, ſo much Pains being taken by Mr. Attorney to make me appear a faulty Man.*

'Unto which the Lord Keeper replied, That the Lords conceive that theſe Words are a Wrong done unto them; and, he conceived, that they are a greater unto his Lordſhip, the Lord Treaſurer, who being a Judge, makes no Difference of a Charge.'

'The Lord Treaſurer anſwered, *That he is injuriouſly dealt withal, and that no Peer hath been charged in this Place before by the King's Counſel.*'

'And being demanded by the Lord Keeper, wherein he is injuriouſly dealt withal, he anſwered, *By Mr. Attorney's opening the Proofs by Parcels, and by directing Parts of the Depoſitions to be read, which ſhould have been done wholly and together.*'

'The Lords conceived themſelves to be wronged by theſe Words, for that Mr. Attorney had done nothing but as Attendant to the Houſe, and by their Direction; and therefore the Prince his Highneſs willed him (the Lord Treaſurer) to clear Mr. Attorney, or elſe this Aſperſion will light very heavy upon him.'

Who is juſtified by the Lords.

'And the Houſe did acquit Mr. Attorney for any thing he had ſaid or done herein.'

'Then Mr. Attorney opened the Heads of the Charge again, *viz.*

'The

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'The first Settlement of the Office of the Ordnance, *Anno* 6. *Jac.* An. 22 James I. 1624.

'The second Settlement by the Lord Treasurer *Salisbury*, *Anno* 1617.

'And the third Settlement by the Commissioners of the Navy, 1620. And that the Lord Treasurer had observed none of them.'

'The Lord Treasurer answered, as touching the second Settlement, *Nothing hath been done upon it to this Day*; *and yet it was made four Years before he was Treasurer.* His Lordship's Defence against the Charge of Want of Munitions.

'As touching the third Settlement, *It was propounded only, and opposed, but never allowed*; *if allowed, it was thirteen Months before he was Treasurer, and yet nothing done in it, as by* Cook's *own Oath: That he had no Privy Seal for it. And how then can he be charged for the Breach of that Settlement which was never settled? But he will not give that for Answer.* And then his Lordship affirmed, *That the Stores are furnished, and that he had paid all the said Ordinary of* 3000*l.* per Annum, *save* 300*l. though no Privy-Seal was issued out upon that Book presented by the Commissioners of the Navy*; *and paid divers other Sums of Money for Provisions of the Stores*; whereof his Lordship recited the particular Sums: *And whereas that Office was unsettled by Sir* Roger Dallison, *he, being a Commissioner for the King's Debts, found due to the Officers* 18,000*l. and caused* 13,000*l. of it to be paid by* Dallison's *Lands, and the rest to be paid also afterwards*; *so that a small Sum will now settle that Office, which was then then so unsettled.*

As touching the Powder, *That when he came to be Treasurer, he found but* 116 *Lasts of Powder, whereof* 21 *Lasts, delivered by* Evelyn, *were left unpaid for*; *and that he paid him* 2000*l. Arrears: Though* 60 *Lasts of Salt Petre be not in the King's Stores, yet there is so much in* Evelyn's *Ware-House*; *and then it is the King's. Neither can the King receive such Detriment or Loss*; *for when* Evelyn *is paid*

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An. 22 James I. 1624. *paid, he is to make Allowance of the Powder by him ſold.* And affirmed, *That he had paid more for Powder than was paid for ſeven Years before.*

' And his Lordſhip directed to be read the Examination of *Andrew Baſſano*, taken on his Lordſhip's Part the 4th of *May*, 1624.

Who diſpoſeth to the third Interrogatory, ' That ' the Total of Gun-Powder, remaining in the ' Stores of the Office of Ordnance, on the 1ſt of ' *October*, 1621, was 116 Laſts, or thereabouts; ' and the Store of Powder remaining in the Stores ' of the ſaid Office, on the laſt Day of *March*, ' 1624, was 130 Laſts, or thereabouts, whereof ' 19 unſerviceable, *&c.* And that the Arrears for ' Gun-Powder was paid to Mr. *Evelyn* by the now ' Lord Treaſurer; but what the Arrears were the ' ſaid Deponent knoweth not, *&c.*

' Mr. Attorney replied, That Mr. *Evelyn* cannot be called to an Account but for the Powder ſold after he is paid, and not for any Powder ſold before he is paid.'

' And, to prove the ſame, the Clerk read the Abſtract of the Covenants with *Evelyn*, *viz.* Of the ſixth Covenant, to account for the Powder ſold after Payment paid.'

' And whereas the Lord Treaſurer affirmed, *That the third Settlement, made by the Commiſſioners of the Navy, was oppoſed, and ſo not ſettled.* It is true, ſaid Mr. Attorney, it was oppoſed by the Officers of the Ordnance, and yet afterwards ſubmitted to by them; ſo then it wanted nothing but a Privy-Seal to ſettle it: And that his Lordſhip was not to expect that the Officers of the Ordnance would further this Propoſition of the Commiſſioners of the Navy, touching the ſaid Settlement; for it took from them 10,000*l.* yearly in Fees, and other Unneceſſaries; ſo that it concerned his Lordſhip (who knows this, being one of the Commiſſioners) to ſee it ſettled by a Privy-Seal and obſerved; and yet his Lordſhip hath done nothing in it theſe two Years and a Half ſince he was Treaſurer.

' And

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'And as touching those particular Sums of Money, which his Lordship recites to be paid by him for Provisions, Mr. Attorney replied, That besides the said 13,000*l.* paid by *Daltison's* Lands, and the said 8000*l.* paid by his Lordship, upon his Lordship's aforesaid first Contract with the Officers, and the 4000*l.* upon his said second Contract, his Lordship has not paid a full 1000*l.* for Provisions, the rest he paid for Wages only; and that thereby the Stores are found to be unfurnished and weak, which would have been well supplied, if the 3000*l.* *per Annum* had been paid for the Store of the Magazines.' An. 22 James I. 1624.

'The Charge touching the Officers of the Ordnance being ended, Mr. Serjeant *Crew* opened that of the

COURT of WARDS.

'That whereas, in *December*, 1618, Instructions for the Court of Wards were set out, (upon great Advisement with the Lord Chancellor of *England*, the two Lord Chief Justices, and the Officers of that Court) the Lord Treasurer, by his Importunity and Power with the Officers, and by his Misinformation to the King, (waving a Reference to divers Lords of the Council) procured those Instructions to be altered, to the Prejudice of the King, and Oppression of the Subject.' Serjeant Crew opens the Charge as to the Court of Wards.

'For, by the former Instructions, *Anno* 1618, Petitions for Wardships were to be delivered to the Clerk of the Court, who was to enter them without Fee: But, by these Instructions, *Anno* 1622, the Petitions are first to be delivered to the Master, to the end he may subscribe his Directions, and then the Master's Secretary to make Entry thereof the same Day it is delivered, and return it to the Suitor, who is to present it to the Clerk, and the Clerk to enter it without Fee.'

'So the Clerk of the Court stands still restrained by these latter Instructions to take any Fees for entering of Petitions, but the Master's Secretary is not re-

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An. 22 James I. 1624.

restrained; and, being unlimited, he hath taken great Fees for entering of these Petitions.'

'And whereas, by the former Instructions, *Anno* 1618, all Tenders and Continuances of Liveries were to be made unto the Surveyor of that Court: Now, by these latter Instructions, they are to be made to the Master first, and afterwards to the Surveyor; whereby the Fees for Continuance of Liveries are raised from 10*s.* the Term, to 20*s.* the Term.'

'And whereas, before, no Ward was esteemed a concealed Ward, unless no Suit had been made within three Years after the Death of the Tenant: Now, by these latter Instructions, the Master hath Power, alone, to dispose of Wardships concealed but one Year; so that the Master may make any a concealed Ward, by concealing the Petition, and not entering it with the Clerk; the Petition being hereby appointed to be delivered to the Master first.'

'And that the Master of this Court of Wards, the Lord Treasurer, hath committed unto his Secretary a Stamp of his Name, and hath hereby put his own Power into the Hands of his Secretary: For his Secretary hath used his Stamp, in the Absence of the Master, for signing of Tenders and Continuances for Warrants to the Great Seal for Liveries; and Warrants to find Offices for Grants of Wardships, Leases, Indentures, and the like; and for expediting of judicial Acts in the Court: And that this Stamp may be a ready Way to make concealed Wardships, and may take away mean Processes due to the King for want of Livery; and may antedate Tenders, Continuances, and Petitions; by reason whereof the King may be prejudiced great Sums, by preferring one before another by Wardships.'

'This being said, the Clerk was directed to read the Proofs.'

'And

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'And for that, in opening of this Charge, the Lord Keeper delivered to the Lords a Meſſage from the King, *viz.* Ap. 22 James I. 1624.

'That the Alteration of theſe Inſtructions was debated before his Majeſty at *Wanſted*, by the Maſter and Officers of that Court; and that his Majeſty underſtood that the Alteration was for the Honour and Profit of the Maſter; and intended that the Maſter ſhould enjoy that Office as amply as the Earl of *Saliſbury*, or the Lord Viſcount *Wallingford*: But if any new Fees are exacted ſince, his Majeſty diſavows that; and if the Maſter hath uſed the new Inſtructions to the Prejudice of the King or Subject, he diſavows that alſo; but allows this preciſe Knowledge of the Alteration of the ſaid Inſtructions.'

'Therefore no Examinations were read to prove the Lord Treaſurer's Importunity and Preſſure to have thoſe Inſtructions altered.'

'Then theſe Examinations were read, *viz.*

The Anſwer of Sir BENJAMIN RUDYARD, *Knt.* 'Surveyor of the Liveries, Sir WALTER PYE, *Knt.* Examinations thereupon.
Attorney of the Court of Wards and Liveries, JOHN TOOK, *Eſq; Auditor General of the ſaid Court, and of* RICHARD CHAMBERLAIN, *Gent. Clerk of the ſaid Court, unto certain Queſtions demanded of them.*

Who do all affirm, 'That, by the former Inſtructions, *Anno* 1618, the Petitions were delivered only to the Clerk, who was to enter them without Fee; but, by the latter Inſtructions, the Maſter's Secretary is to enter them before they come to the Clerk, and the ſaid Secretary is not reſtrained from taking of Fees.

'To prove that the Secretary hath taken great Fees for Petitions, were read

An. 22 James I. 1624.

The Examination of WILLIAM WELD, *taken the 21st of* April, 1624.

'That, about *Christmas* was Twelvemonth, he 'delivered to Mr. *Herman*, Secretary to the Lord 'Treasurer, from the Lady *Edmunds*, three Fruit 'Dishes of Silver, worth, as he believeth, between '40*s.* and 3*l.* a-piece, for the Furtherance of her 'Business and Petitions touching the Wardship of 'her Son.'

The Examination of ROBERT DERDEN, *taken the same Day.*

'That he delivered to Mr. *Herman* a Letter and '5*l.* 10*s.* in Gold, from Mr. *Brewster*, and re- 'ceived from him a Schedule concerning a Ward- 'ship, to deliver to Mr. *Brewster*.'

The Examination of EDWARD BREWSTER, *taken the same Day, to the same Effect.*

'And that it was for a Schedule of Composi- 'tion of the Wardship of Sir *Thomas Baker*; and 'that the said Composition was made, in *Trinity-* 'Term was two Years, by the rest of the Council, 'in the Absence of the Lord Treasurer; and that, 'for a Month after, he sollicited the Lord Trea- 'surer and Mr. *Herman* for a Dispatch thereof, 'but could not prevail; the Lord Treasurer tel- 'ling him, That he liked not the Composition: 'Whereupon, after *Hillary-Term*, lest Process 'should go forth, he wrote a Letter to Mr. *Her-* 'man, promising to be thankful; and receiving 'Answer that it was dispatched, he sent the said 'Money, and had the aforesaid Composition.'

The Examination of ELIZABETH BRADFORD, *taken the same Day.*

'That she offered Mr. *Herman* 10*s.* for her Peti- 'tion to the Lord Treasurer, for the Wardship of her 'Daughter; but he refused, and told her his Fee

'was

'was 20*s.* and would have no less: And there- An. 22 James I. 1624.
'upon she gave him 20*s.* and he then told her,
'That he had had 5*l.* for a less Matter, and was
'angry with her for standing with him.'

The Examination of CHRIST. VERNAM, *taken the same Day.*

'That, about *Christmas* was Twelvemonth, he
'gave Mr. *Herman* 22*s.* upon the Delivery of a
'Petition to the Lord Treasurer, for a Wardship;
'and, about *May* following, when a Day was as-
'signed to attend the Composition, he gave Mr.
'*Herman* 44*s.* more.'

'And to prove that, by Colour of these latter Instructions, Fees for Continuances of Liveries are raised from 10*s.* to 20*s.* the Term, were read

The said ANSWER *of the said Officers of the Court.*

Who say, 'That they have heard that the Sub-
'ject paid to the Secretary (for the Master's Use)
'half Fees for Tenders, and whole Fees for Con-
'tinuances. *And they, the said Surveyor, Attorney,*
'*and Auditor, do say*, That the Master did declare
'his Intention not to debar the Surveyor of his
'Fee for Continuances: *But said*, Because Conti-
'nuances were Matters of Grace and Favour from
'the King's Majesty, that therefore, if the Subject
'would have them, they should pay for them.'

The Examination of JEFFERY BRIGHT, *taken the 21st of* April, 1624.

Who saith, 'That, since the said last Instructions,
'the Fees of Continuances of Liveries have been
'raised from 40*s.* *per Annum* to 4*l.* 8*s.* where-
'of 40*s.* goes to the Lord Treasurer, and 4*s.* to
'Mr. *Herman's* Man.'

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An. 22 James I. 1624. *The Examination of* THOMAS FABIAN, *taken the same Day.*

Who ſaith, 'That, ſince the laſt Inſtructions, 'the Fees for Continuances of Liveries have been 'raiſed 11*s.* every Term; which Fee the Lord 'Treaſurer's Secretary receives; which is ſpecially 'complained of by ſuch as have Suits in Court.'

The Examination of NICHOLAS HERMAN, *taken the 22d of* April, 1624.

'That, ſince the laſt Inſtructions, the Lord Trea-'ſurer did take, upon every Continuance of Live-'ry, 10*s.* a Term, and no more.'

And to prove that, by the latter Inſtructions, the Maſter hath Power to make moſt Wardſhips concealed, was read

'The Anſwer upon Oath of the ſaid Officers of the Court of Wards.'

Touching the STAMP were read

The Examination of the ſaid NICHOLAS HERMAN.

Who ſaith, 'That, by the Direction of the Lord 'Treaſurer, there was a Stamp made, and, by his 'Lordſhip, delivered to the Examinant, with 'Power to ſign therewith ſuch ordinary Things 'touching the Buſineſs of the Court of Wards, 'as were to be ſigned by his Lordſhip. *And ſaith,* 'That he did move the Lord Treaſurer to make 'the ſaid Stamp; and the Reaſon was, for that the 'Suitors that followed theſe ordinary Buſineſſes 'attended ſometimes eight, nine, or ten Days for 'Diſpatch, which occaſioned much Clamour, and 'ſome Jealouſy that the ſaid Examinant delayed 'them of Purpoſe; and therefore the ſaid Exam-'inant was deſirous to give them better Diſpatch. '*And ſaith,* The Lord Treaſurer did not diſtri-'bute his Time, aſſigning any certain Days or 'Hours for the Diſpatch of the Affairs of the 'Court of Wards, otherwiſe the ſaid Stamp had 'not

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'not been made.' *And saith*, He did use the said Stamp sometimes in his Lordship's Absence, and sometimes in his Presence, when his Lordship was otherwise busied. *And saith*, That there was 'but one Stamp; but he could sign several Ways, 'according as he set on the Stamp; sometimes 'with the Name of *Middlesex* alone, and sometimes with the Addition of *Curia Wardorum*.' An. 22 Jacobi I. 1624.

The aforesaid Examination of JEFFREY BRIGHT.

'That he hath seen Mr. *Herman* set the said 'Stamp to an Indenture for a Wardship of Body 'and Lands, and to many other Things.'

The said Examination of THOMAS FABIAN.

'That Mr. *Herman* hath set the said Stamp to 'sundry Writings in the Absence of the Lord 'Treasurer.'

And the said ANSWERS *of the Officers of the Court of Wards.*

'That Mr. *Herman* hath used the said Stamp 'for stamping of Tenders and Continuances, Warrants to the Great Seal, Grants of Wardships, 'Leases, Indentures of Liveries, *&c.*'

'And there were shewed forth, and read by the Clerk, divers Petitions of sundry Natures, stamped with the said Stamp.'

The Lord Treasurer answered unto this Charge, *That he is not to be blamed for putting his Office into such Plight as it was before an Encroachment.* The Lord Treasurer's Answer.

As touching his Secretary's Fees, *As he is not restrained, so nothing is allowed; and if he hath exacted any thing, his Lordship will be the severest Censurer of him. He never heard of any till now. That the Secretary to former Masters received whatsoever any Man gave voluntarily, so it was lawful for his.*

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An. 22 James I. 1624. As touching the Fee for Continuances, *Why ſhould he loſe any thing due for a Favour to the Subject? By this Means there be fewer Continuances; and ſo the King has his Money the ſooner, and the Party is free for the Subjects Suit the ſooner.*

As for concealed Wardſhips within a Year, *It is beneficial to the King; otherwiſe, within three Years, the Ward might die, and the King loſe the Wardſhip. Neither hath the Maſter ſuch Power, alone, therein by theſe new Inſtructions: He is only truſted with the Direction unto whom the concealed Wardſhip ſhall be granted; the Compoſition is left to the Council-Board: But it is not ſhewed that he ever made one concealed Wardſhip. They ſay this may be done, but do not ſhew what was done amiſs.* And his Lordſhip juſtified, *That theſe new Inſtructions were more beneficial to the King and Subject than the former, and not prejudicial; for as touching the Petitions, if the Ward happen in a Vacation, the Petition muſt be delivered within a Month; if to the Clerk, perhaps he is out of Town: Now they are to be delivered to the Maſter firſt, and he may direct the finding of the Office in the Interim; but it is of no Force till the Petition be afterwards entered by the Clerk, and Compoſition is made by all the Officers.*

Indeed the Officers yielded, hardly, to the new Inſtructions; becauſe they had, by the former, ſhared the Maſter's Power and Authority among themſelves.

His Lordſhip confeſſed, *That he yielded to have a Stamp made by the Precedent of the Lord* Burleigh's *Stamp; which,* he ſaid, *he could not prove but by Hear-Say: And Stamps are uſed in the S***(f) Office and the Outlawries. And that it is no more prejudicial to commit a Stamp to his Secretary, than it hath been heretofore to leave the Seal with the Clerk. Neither is it ſhewn that this Stamp hath been to the Prejudice of any Man, the ſame Things that were ſtamped, being to paſs other Officers either firſt or laſt.*

'Then

(f) *Deeſt in Orig.*

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'Then the Clerk, by the Lord Treaſurer's Diſcretion, read 22 James I. 1624.

The Examination of RICHARD CHAMBERLAIN *and* HUGH AUDLEY.

'That the ſame Things that were ſtamped have, 'or ought to paſs other of the Officers Hands, either before or after they were ſtamped. That no 'Prejudice hath been, to their Knowledge, to any, either to the King or Subject, by reaſon of the 'ſaid Stamp, unleſs the Subject hath received any 'Prejudice upon Petitions ſtamped for judicial Acts 'of the Court. That the Suitors have had ſpeedy 'Diſpatch by the Stamp.

'This being read, Mr. Serjeant *Crew* made a ſhort Reply touching the double Fee for Continuances.'

'That, in the Time of Lord Treaſurer *Burleigh*, there was paid but 6*s.* 8*d.* for a Continuance, either to the Maſter or Surveyor; which is now paid to both, and 10*s.* unto each. Serjeant Crew's Reply.

'Unto which the Lord Treaſurer anſwered, in effect, as before, and further ſaid, *That he had much more to ſay, but durſt not adventure to ſay any more, for that he was ſo far ſpent; and deſired that he might wait on their Lordſhips again, To-morrow Morning, to ſatisfy them touching the two Bribes of* 3000*l.* *and the Buſineſs of* Dallifon.

'Before the Lord Treaſurer was withdrawn, the Earl of *Carliſle* remembered their Lordſhips, That the Lord Treaſurer, the other Day, had charged him with 3000*l.* given him; whereas, about twelve Months after the Lord Treaſurer was made Maſter of the Wards, his Lordſhip paid the Earl of *Carliſle* 3000*l.* in part of 20,000*l.* given him by the King. And whereas the Lord Treaſurer ſpoke of the vaſt Expences of the Wardrobe in former Times, the Earl of *Carliſle* ſaid, That the Expences grew ſo great by reaſon of the extraordinary Charges then happening; as, by the Queen of *Bohemia's*

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An. 22 James I. 1624. *Bohemia's* Marriage, which came to 60,000*l.* alone; for furniſhing divers of the King's Houſes; for many rich Preſents ſent to foreign States; for the King's Voyage to *Scotland*; and the like.'

'And the Earl of *Denbigh*, now Maſter of the Wardrobe, ſhewed, That he cannot get any Allowance for the Extraordinaries of that Office from the Lord Treaſurer.'

'Whereunto his Lordſhip anſwered, *That the King referred unto him the Earl of* Denbigh's *Demands of the Extraordinaries, wherein his Lordſhip was unwilling to meddle, for he could not conceive how they could amount to the Sum demanded.* And as touching the Earl of *Carliſle*, *If he had ſaid that he had given him that* 3000*l. he did his Lordſhip wrong, for he had Warrant from his Majeſty to pay it.*

'And then the Lord Treaſurer deſired he might be heard to clear ſome Words that might paſs from him this Day, where it is reported that his Lordſhip ſhould ſay, That he had unchriſtian Dealing: *He meant it not by their Lordſhips, whoſe Dealings he acknowledged to be to him both juſt and honourable; but he meant it by the King's Counſel, who have dealt ſo unchriſtianly with him, as to make White Black, and Black White:* And humbly deſired, *That this his Acknowledgement of the Juſtice of the Houſe might be accepted of him, and to be underſtood only of the King's Counſel.* And ſaid further, *That he had Precedents, that he ought not to anſwer in this Place, (at the Bar) and that he ought to have Counſel; and prayed that the next might not ſuffer by his Example.*

'And again deſired to appear To-morrow to make his further Anſwer.'

'The Lord Treaſurer being withdrawn, the Houſe agreed, That he ſhould appear here again To-morrow at Nine of the Clock; and Mr. *Maxwell*, the Gentleman Uſher, warned him to appear accordingly.'

'The Lord Keeper cleared the Proceedings of the King's Counſel in their ſeveral Charges againſt the Lord Treaſurer; and the Houſe gave them Thanks for their fair Carriage therein.'

May

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May 12. The Lord Treasurer being at the Bar, and being admitted to speak in his own Defence, his Lordship first repeated the several Heads of the Matters wherewith he is charged, *viz.* An. 22 James I. 1624.

1. 'Touching the Wardrobe.'

2. 'Touching two Bribes received of the Farmers of the Customs.'

3. 'Compositions of the Out-Ports for Grocery.'

4. 'The Officers of the Ordnance. And,

5. 'The Court of Wards.'

The Lord Treasurer's general Defence against the whole Charge.

As for the first, *That his Omission of an Account in the Wardrobe did neither add to nor diminish the Charge the King was at; and that, although his Lordship omitted to serve some of the Lord Chamberlain's Warrants, amounting to a Matter of 700l. yet he had laid out, in the Extraordinaries of that Office, (which he was not bound to do) about 6000l. and that the good Service which he had done his Majesty in that Office is well known.*

'Touching the two Bribes, termed *disguised Corruptions*, *Howsoever the Farmers of the Customs presented the same, he could not know their Thoughts but by their Words and Deeds.* And his Lordship protested, *That he received the same no otherwise than for his Interest in four 32 Parts of the Great Farm of the said Customs.*

'As touching the Lease for Sugars, *He will say no more than formerly he had spoken.* Nor,

'For the Compositions for Grocery, save only, *That his Lordship had sent* Barret's *Son unto Mr. Serjeant* Crew, *to satisfy him that* Barret *had formerly collected the said Compositions, by virtue of the Warrant of former Treasurers.*

'As touching the Office of the Ordnance, *His Lordship would speak no more touching the Provision for Arms and Gun-Powder, than he had done.* But,

'As touching *Dallison's* Business, his Lordship said, *It began originally before he was Treasurer; he therein settled the King's Debt unto the Officers, and hath parted with that Estate, which he had from them in* Dallison's *Lands, within a Month after he was Treasurer; yet, if the second Bargain made with these*

An. 22 James I. 1624. *these Officers prove not as beneficial to them as the first should have been, they have his Word to make it as good; which he would perform.* And his Lordship further proffered, *That any one should have Dalliſon's Lands again at a far leſs Sum than they coſt him.*

'Then he deſired their Lordſhips to take into Conſideration *His Diſability to anſwer, and the Ability of thoſe that did oppoſe him; and, if he had been as well able to ſpeak for himſelf, as they that ſpake againſt him, he doubted not but that he ſhould have given their Lordſhips very good Satisfaction.*

'His Lordſhip ſpake much in excuſe for thoſe Matters complained of againſt him as Lord Treaſurer, ſaying, *That the King's Neceſſity and Want of Money was the Cauſe of much thereof.*

'He acknowledged, *That the King had been a good and bountiful Maſter unto him;* and avowed, *That he had been a good and faithful Servant unto his Majeſty; not for Impoſitions, for (thoſe two only excepted, which are preſented by the Commons) he ever ſtood againſt them, deeming them a Partition-Wall between the King and the Subject.*

That his Service has been in Reformations, viz. Of the Houſhold; of the Navy; of the Wardrobe; and of the Kingdom of Ireland; *which are Things of that Nature that they beget Enemies: And if, in doing Service to his Majeſty, he hath procured to himſelf many Enemies, their Lordſhips will not impute that to him for a Fault.*

'His Lordſhip alſo affirmed, *That he had done his Majeſty good Service in the* Palatinate, *by advancing the Exchange of the King's Money thither, wherein he ſaved the King* 60,000*l.* And affirmed, *That he had advanced the Profits of the Crown at leaſt* 80,000*l. though not by Impoſitions; theſe he meddled not with, the other two excepted, and they were agreed unto by the Council-Board. The Ships indeed were in the River, but the Vintners were ſent for, and made to pay what was impoſed on the Merchants.*

That he offered to pay the Arrear due for Ireland, *a third Part from the one Deputy, and the one Half from*

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from the other; wherewith he acquainted his Majesty, and turned it all to his Majesty's Profit. An. 22 James I. 1624.

That he hath been a Judge these eight Years, and no Complaint brought against him for Corruption or Bribery; which he hoped would weigh much with their Lordships.

'And as for the Offence taken Yesterday against him, touching the King's Counsel, (whom he ever loved well) *He knew them to be of that loving Nature, that he doubted not but that they would impute it to his Rashness, and forgive him.*

'Then he craved Pardon of their Lordships, if he had omitted any thing, or spoken ought that might discontent them; and so, with humble Thanks for their Favour to him, he concluded his Speech.'

'The Lord Treasurer having ended his Speech, he was answered by the Lord Keeper, That the Council-Table disavowed the Imposition on Wines to begin from them: It came from his Lordship as belonging to his Place of Lord Treasurer; the Matter was his alone; the Manner also was contradicted by the rest of the Council, for that the Merchant Ships were then in the River; only they gave way to it, upon his Lordship's undertaking that the Merchants would yield thereunto, and that they should be no way prejudiced thereby.'

'Whereunto the Lord Treasurer replied, *That this was no Part of his Charge.*

'The Lord Treasurer being withdrawn, and the House adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer which concerned the Wardrobe.' The Lords take into Consideration the several Articles of the Charge, and the Lord Treasurer's Answers.

'And the Lords having duly considered of the Crimes objected against the Lord Treasurer, for not entering into a Book of Accounts the Warrants and Emptions, as he ought to have done, whereby the Settlement and antient Institution of that Office is altogether broken; and for not serving the Warrants directed unto him for the King's own Person, though he was often urged thereunto; nor paying divers

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An. 22 James I. 1624. divers of the Creditors for such Stuff as they served in, although he received 20,000*l. per Annum*, by way of Impreſt, for the ordinary Charge only of that Office; which a far leſs Sum would have fully defrayed: And for that he had not performed that good Service, which he pretended unto his Majeſty; but, under Pretence thereof, had procured to himſelf great and large Gifts from his Majeſty, and Pardon of divers great Sums of Money:'

'And the King's Counſel having ſatisfied their Lordſhips, That the ſaid Pardon to the Lord Treaſurer did not pardon his Lordſhip's not accounting; the Houſe was reſumed, and the Queſtion put, Whether the Lord Treaſurer, for his Carriage in the Office of the Wardrobe, be cenſurable, or No? And it was agreed, *Nemine diſſentiente*, To be cenſured.'

'*Poſt Meridiem*, Mr. Attorney read that Part of the Charge againſt the Lord Treaſurer which concerned his taking of 500*l.* of the Farmers of Wines and Currants for a Bribe, and 500*l.* of the Farmers of the Great Cuſtoms, for a Bribe; and for exacting 100*l.* of the ſaid Farmers of Wines and Currants.'

'And their Lordſhips took into their Conſideration the Lord Treaſurer's Anſwer unto the ſaid two Bribes, *viz. That he accepted of* 1000*l. paid him, at one entire Payment, by the Farmers of the Great Cuſtoms, upon a Bargain of his four* 32 *Parts of the Great Farm.* And it appeared plainly unto them, by the Examination of divers Witneſſes, as well of thoſe taken *ex Parte Domini Regis*, as of thoſe taken *ex Parte Domini Theſaurarii*, That 500*l.* of the ſaid Sum was given to the Farmers of the Wines and Currants, called the Petty Cuſtoms, to procure his Lordſhip's Warrant for Defalkation of 1000*l. per Annum* of their Rents, for nine Years and a Half, in recompence of their Loſs, according to his Lordſhip's farther Agreement with them on the King's Behalf, upon his Majeſty's Reference unto his Lordſhip: And that the other 500*l.* was given, by the Farmers of the Great Cuſtoms,

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Customs, to procure his Lordship's Warrant unto the King's Remembrancer, to take Security for Payment of the Rent to his Majesty of the four Patentees of that Farm, in lieu of five Partners who had relinquished their Parts therein: And that his Lordship had not reserved to himself any Parts of the said Great Farm, as his Lordship pretends: And if he had, it had been a great Deceit unto his Majesty, for the Lord Treasurer of *England* to contract with others for his Majesty's Customs, and secretly to reserve Parts therein unto his own Benefit: And when, as his Lordship affirms, that he received the 100*l.* of the Farmers of the Wines and Currants, for a New-Year's Gift, it appeared also by the Examinations, That the said Farmers did present his Lordship with a Tun of Wine for his New-Year's Gift, and his Lordship exacted the 100*l.* of them afterwards; which divers of their Lordships conceive to be Extortion.' An. 22 James I. 1624.

'All which being fully discussed, the House was resumed, and the Question was put, Whether, upon this whole Charge, the Lord Treasurer be censurable, or no? And agreed generally, To be censured.

'The House being again adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer, which concerned his Lordship's procuring of *George Herriot* to surrender his Lease of the Farm of Sugars, which he held at the Rent of 10,000 Marks *per Annum* to the King, and for procuring a new Lease thereof immediately to two of his Lordship's Servants, to his own Use, at 2000*l.* *per Annum*; and for denying the Merchants, upon their Exportation of Sugars, the Imposts paid therefore upon the Importation, as his Lordship ought to have done by the Directions of his Majesty's Letters Patent of the 5th of *December*, *Anno* 8 *Jacobi*.

'Upon reading whereof the Lord Keeper signified to their Lordships, That he had received a Message from the King touching this Charge, *viz.*

'That his Majesty did freely give unto the Lord Treasurer 4000*l.* *per Annum*, out of the said Lease of

An. 22 James I. 1624. of Sugars, the ſame to begin preſently after the Date thereof.'

'Their Lordſhips taking into Conſideration, that this was the King's free Gift, they did not think it fit to cenſure the Lord Treaſurer for the ſame; although his Lordſhip had unduly informed his Majeſty of the good Services done in the Office of the Wardrobe, which his Lordſhip performed not, for which this Leaſe of Sugars was given him. Neither did his Lordſhip inform his Majeſty, (for ought appears) that a Debt of 7000*l.* was inſtalled upon that Leaſe; the which his Lordſhip transferred to the Farm of Tobacco.'

'And as touching the Denial of the Impoſt unto the Merchants, upon the Exportation of Sugars, for that his Lordſhip affirms, That the Under-Farmers of the ſaid Sugars from him are liable to the Re-payment of the ſaid Impoſts, if any be due, their Lordſhips did not think it fit to cenſure the Lord Treaſurer for the ſame.'

'And the Houſe being reſumed, the Queſtion was put, Whether the Lord Treaſurer ſhall be freed from any Cenſure in this particular Charge, or No? And generally agreed, To be freed.'

'The Houſe was again adjourned *ad Libitum*.

'And Mr. Attorney General read that Part of the Charge againſt the Lord Treaſurer, which concerns the Compoſition for Grocery Wares in the City of *Briſtol*, which City had refuſed to yield unto any Compoſition for the ſame; and yet the Lord Treaſurer had given Warrant to levy the ſame againſt their Wills, and to ſtay the entering of their Goods until the ſame was paid accordingly.

'But for that it appeared, that the Lord Treaſurer *Dorſet's* Letter, dated 1610, for levying the ſame Compoſition, agreeth with the Letter written by this Lord Treaſurer; and for that divers of *Briſtol* had paid the like Compoſition; and for that it did not appear that the Lord Treaſurer did thereby ſeek any Benefit to himſelf, the Lords did not think him fit to be cenſured for the ſame.'

'Where-

Whereupon the House being resumed, it was put to the Question, Whether the Lord Treasurer shall be free of Censure in this Charge of Grocery, or No? And agreed, to be freed. An. 22. James I. 1624.

The House being again adjourned *ad Libitum*, Mr. Attorney General read another Part of the Lord Treasurer's Charge, *viz.*

'That his Lordship, for this two Years and a Half, since he was Lord Treasurer, hath not observed the two Proportions or Establishments of the Ordinary, and Supply of the Office of the Ordnance; neither that which was settled for the Supply thereof by Privy Seal, *Anno sexto Jacobi*, for the Ordinary of that Office, nor that, *in Anno* 1620, set down by his Lordship, and the other Commissioners of the Navy for the present Supply thereof; whereby the Stores are, in effect, wholly unfurnished: And that his Lordship, since he was Lord Treasurer, neglected and kept not the Contract, made by himself and other Commissioners with Mr. *Evelyn*, for Gun-Powder, to the Hazard of the Kingdoms and Prejudice of the King; and that he made unlawful Bargains for the Lands of Sir *Roger Dallison*, contracting to procure Payment of old Arrears of Debt, which he performed when he became Treasurer, and to procure the Making of Baronets, and a Suit to the King for compounding with his Majesty's Copyholders of *Wakefield*, which he valued at two thousand Pounds; and for using indirect Means and the Power and Countenance of his Place, to wrest Sir *Richard Smith* and Sir *John Davis* out of a Lease, which Sir *Roger Dallison* had passed unto them.'

And their Lordships having fully discussed the great Neglect of the Lord Treasurer to issue the King's Money for the furnishing of the King's Stores of Munitions, with Armour and Powder; and that yet he paid the Arrears of Debts to that Office for his own particular Profit upon a Contract with the said Officers: And having considered his Lordships great Misdemeanors in the Bargains for the said Lands of Sir *Roger Dallison* extended

An. 22 James I. 1624. tended for that Debt; and his Lordship's pretending, for Part of Payment thereof, the Making of Baronets and a Suit for the compounding with his Majesty's Copyholders of *Wakefield*.'

'And his Lordship's Answer, *That he preferred this Suit unto the King, in pity of Sir* Thomas Mounson's *Estate, a Man heretofore of good Account in his Country, and now decayed*; which their Lordships thought most sordid, for a Lord Treasurer to make Use of to his own Benefit.'

'And it appearing unto their Lordships, That the said Lord Treasurer had set on foot an old Outlawry, upon a Debt long Time since paid by the said Sir *Roger Dalliſon*; and that his Lordship, upon Pretence of a Debt to the King where there was none, procured a Revocation of Letters of Administration granted of Sir *Roger Dalliſon's* Goods; and had written his Letter to the Judges of the Common Pleas for the countenancing of this indirect Course, to wrest the said Lease from the said Sir *Richard Smith* and Sir *John Davy*, formerly granted unto them by the said Sir *Roger Dalliſon*: All this being fully debated, the House was resumed, and it was put to the Question, Whether the Lord Treasurer be worthy of Censure in regard of this whole Charge, both for the three Bargains, and for not supplying the Office of the Ordnance? And generally agreed, To be censured.'

'The House was again adjourned *ad Libitum*.'

'And Mr. Attorney read the rest of the Charge against the Lord Treasurer, *viz.* That the Lord Treasurer, being Master of the Wards, did, *Anno Domini* 1622, cause the Instructions, set forth by his Majesty, *in Anno* 1618, for the well-ordering of the Court of Wards, to be altered, against the Will of the Officers, by the Misinformation of his Majesty; whereby he hath taken the Petitions from the Clerk of that Court, and appropriated them unto himself and his Secretary: And that his Lordship having to himself concealed Wardships, he may easily make Wardships concealed by the Course of

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of the said new Instructions: And that his Lordship hath doubled the Fees for Continuances of Liveries, and made a Stamp and delivered the same to his Secretary, who hath stamped therewith in the Absence of the Master, Tenders, Continuances, Warrants to the Great Seal, Grants of Wardships and Leases, Indentures of Liveries, &c. An. 22 Jacob. I. 1624.

'And their Lordships considering, that it was not proved by the Examination of Witnesses, that the Secretary was appointed to take any Fees for the said Petitions, either for himself or for the Lord Treasurer; nor that the Lord Treasurer had made any Benefit to himself for concealed Wards by virtue of the said new Instructions: Therefore their Lordships thought his Lordship not censurable for those two Points of his Charge. But as touching the doubling of Fees of Continuances of Liveries, they thought his Lordship worthy to be censured both in respect of the Grievance of the Subject, and of his Lordship's Answer unto the same, *viz. It is the King's Grace to the People, let them pay for it.*'

'And for that he delivered a Stamp unto his Secretary, whereby he committed the great Trust, reposed in him by his Majesty, unto his Servant, not deigning to sign the Petitions, Liveries, and Warrants, to the Great Seal, with his own Hand, their Lordships thought him worthy to be highly censured for the same.'

'And thereupon the House being resumed, the Question was put, Whether the Lord Treasurer deserves a Censure upon the whole Charge or no? And agreed, *nemine dissentiente*, To be censured for the same.'

May 13. After reading a private Bill or two, the Lords ordered the Gentleman Usher and the Serjeant at Arms, attending on that House, to summon the Earl of *Middlesex*, Lord Treasurer of *England*, to appear presently before their Lordships.

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An. 22 James I. 1624

The Warrant was signed by the Lord Keeper, and delivered to the Gentleman Usher.

The House being adjourned *ad Libitum*, the Clerk read the Heads of the six Charges against the Lord Treasurer, and the six several Votes of the House which were Yesterday past upon the same.

And their Lordships having duly considered upon the Proofs of Bribery, Extortions, Oppressions, Wrongs and Deceits, objected against the Lord Treasurer, found the same to be most apparently proved.

And, as to the Allegations of the Lord Treasurer of his good and profitable Services to the King; in the Reformation of the King's Houshold, of the Navy, of the Wardrobe, and the Kingdom of *Ireland*, their Lordships entring into Debate thereof, it was made manifest to them, by many Particulars then declared, That, as touching the Reformation of the King's Houshold, Wardrobe, *Ireland*, He, the Lord Treasurer, had deserved very ill of his Majesty; and, as touching the Navy, though his Lordship was but a Commissioner with others, who were more skilful, and did more Good than he, yet, he assumed to himself the whole Glory thereof; and his Manner was so to do, in all other Business wherein his Lordship and others were joined.

The Lords also considered of the Lord Treasurer's Allegation of his advancing the Exchange of the King's Money, sent to the *Palatinate*, for Payment of the King's Forces there; and it appeared unto them plainly, That his Services therein deserved no such Respect, as his Lordship assumed unto himself; the Soldiers of *Frankendale* being yet unpaid.

Then the House being resumed, the first Question was put,

I. Whether the Lord Treasurer, in regard of these Misdemeanors proved against him, shall lose all his Offices which he holds in the Kingdom, or No?

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It was unanimously agreed, That he should lose them all. An. 22 James I. 1624.

The second Question,

II. Whether the Lord Treasurer shall for ever hereafter, be incapable of any Office, Place or Employment, in the State or Common-Wealth, or No?

Agreed, That he should be incapable of them all.

The third Question,

III. Whether he shall be imprisoned in the *Tower* of *London*, during his Majesty's Pleasure, or No?

Agreed, For Imprisonment.

The fourth Question,

IV. Whether the Lord Treasurer for these Offences shall pay a Fine to the King, or No?

Agreed to a Fine.

But then the House was adjourned *ad Libitum*, That the Lords might more freely discuss what Fine to impose on the Lord Treasurer. And, being resumed,

The fifth Question was put by the Lord Keeper,

V. Whether a Fine of 50,000 *l.* be sufficient to be imposed on the Lord Treasurer, or No?

Agreed to this Article.

The sixth Question,

VI. Whether he shall, hereafter, sit in Parliament, or No?

Agreed, That he shall never sit again in Parliament.

The seventh Question,

VII. Whether the Lord Treasurer shall come within the Verge of the Court, or No?

These Questions being all put and agreed to, the whole Censure against him was drawn up in Form, read by the Lord Keeper, and passed by a general Vote of the whole House.

Then a Message was sent to the Commons, by Mr. Serjeant *Crew* and Mr. Attorney General, That the Lords were now ready to give Judgment against the Lord Treasurer, if they, with their Speaker, will come and demand the same.

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An. 22 James I. 1624. *Answer*: That they will attend, presently, as the Manner is.

Accordingly, the Lords being all in their Robes, to the Number of sixty-two, *viz.* the Prince of *Wales*, the Lord Keeper, the Archbishop of *Canterbury*, twelve other Bishops, with forty-seven Earls, Viscounts, and Barons, the Lord Treasurer was brought to the Bar, by the Gentleman Usher and the Serjeant at Arms; when his Lordship making a low Reverence, kneeled, until the Lord Keeper willed him to stand up. The Commons came in with their Speaker, and the Serjeant attending him let down his Mace, when the Speaker addressed himself to the Lords as follows:

'The Knights, Citizens, and Burgesses in this 'Parliament assembled, have, heretofore, transmitted unto your Lordships several Offences 'against the Right Honourable *Lionel*, Earl of '*Middlesex*, Lord High Treasurer of *England*, for 'Bribery, Extortions, Oppressions, and other grievous Misdemeanors committed by his Lordship; 'and now the Commons, by me their Speaker, 'demand Judgment against him for the same.'

The Lord Keeper answered, This High Court of Parliament doth adjudge,

The Sentence against him.

That Lionel *Earl of* Middlesex, *now Lord Treasurer of* England, *shall lose all his Offices which he holds in this Kingdom; and shall, hereafter, be made incapable of any Office, Place, or Employment in the State and Common-Wealth.*

That he shall be imprisoned in the Tower of London *during the King's Pleasure.*

That he shall pay unto our Sovereign Lord the King a Fine of 50,000 *l.*

That he shall never sit in Parliament any more.

And that he shall never come within the Verge of the Court.

We have met with a Story, quoted in an Author of very good Credit (*f*), That the Lord *Bacon*, after

(*f*) *Petyt's Miscellanea Parliamentaria*, in the Preface.

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ter he was sentenced in Parliament, meeting with Sir *Lionel Cranfield*, whom King *James* had then newly made Lord Treasurer; Lord *Bacon*, having first congratulated his Advancement to so eminent a Place of Honour and Trust, told him, between Jest and Earnest, That he would recommend to his Lordship, and, in him, to all other great Officers of the Crown, one considerable Rule to be carefully observed; which was to An. 22 James I. 1624.

Remember a Parliament will come.

We do not believe his Lordship had the Spirit of Divination in him, though the Event shewed somewhat like it, and verified the familiar Saying of the Lord *Coke*;

That no Subject, though never so potent and subtle, ever confronted or justled with the Law of England, *but the same Law, in the End, infallibly broke his Neck.*

One Instance of the Truth of this Maxim is just related, for thus fell *Lionel Cranfield*, Earl of *Middlesex*; who, from a low Beginning, was, for his eminent Qualities in mercantile Affairs, raised to that Title, and to one of the highest Posts in the Kingdom. He was the Son of *Thomas Cranfield*, Esq; but was no more than a *London* Merchant himself; and, being bred up in the Custom-House, was looked upon as a fit Instrument to detect the Frauds in those Offices. The King, in his last Speech to the Lords, hath given an Account how he was introduced to Court, and by what Steps he rose to the Height he so suddenly fell from; and, by what his Majesty hints, in that Speech, there might be much Malice and Envy in his Prosecution. Some Account of the Rise and Fall of the Lord Treasurer Middlesex.

Mr. *Rapin* charges the Prince of *Wales* and Duke of *Buckingham* with a Conspiracy to ruin the Treasurer, for refusing them, at Times, the exorbitant Sums they demanded when in *Spain*: That they made Use of their Credit with the Parliament for that Purpose, and caused him to be accused, by their Creatures, of Mismanagement in the Discharge of his Office *(g)*.

(g) History of *England*, Vol. II. p. 231. Fol. Edit.

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An. 22 James I. 1624. This Hint our Author has ſtrongly improved from *Wilſon* and Lord *Clarendon*: The former ſays, 'The Duke of *Buckingham*, remembering how the Lord Treaſurer repined at the Monies ſpent in *Spain*, and his Comportment to him ſince his Return, reſolved to bring him down from that Height he had placed him in:' And the latter, 'That the King was againſt the Proſecution of the Treaſurer, by an Impeachment; becauſe he foreſaw, that thoſe Kinds of Parliamentary Proceedings would ſhake the Royal Authority, in the Choice of his own Miniſters, when they ſhould find that their Security did not depend, ſolely, upon his own Protection; which Breach, adds the Noble Hiſtorian, upon his kingly Power, was ſo much without a Precedent, that, except one unhappy one, made three Years before, to gratify likewiſe a private Diſpleaſure, [Lord *Bacon* he means] the like had not been practiſed in very many Years. The King told the Duke, 'That he was a Fool, and was making a Rod for his own Breech;' and the Prince, 'That he would live to have his Bellyfull of Parliamentary Impeachments (*b*):' Both which will be found prophetically true in the Sequel.—But, in this Caſe, after all, the Guilt or Innocence of the Accuſed, muſt be left to the Reader's Judgment, by the Circumſtance of the Trial: However, it ſeems very plain that the Duke of *Buckingham*, who, as the King takes Notice, firſt introduced him to the Court, did, at leaſt, deſert him upon his Trial; otherwiſe there is no Room to ſuppoſe that the Proſecution would have been carried on ſo vigorouſly, or the Sentence have been ſo unanimous and ſo ſevere againſt him.

Whether the King remitted the Fine, or any Part of it, is uncertain; but his Lordſhip lived many Years after this Diſgrace, and died in a good old Age, in the Year 1645, leaving two Sons, who both ſucceeded him in his Title of Earl of *Middleſex*; but was

(*b*) Lord *Clarendon*'s Hiſtory of the Rebellion, Vol. I. Fol. Edit. 1702. p. 40.

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was extinct in the latter.——This short Digreſſion is thought proper, in order to give ſome further Account of a Man, heretofore ſcarce known in Hiſtory (*i*). An. 22 James I. 1624.

May 14. A Committee of Lords was appointed by the Houſe to attend the King, and to acquaint him with the Judgment awarded by the Lords againſt the Earl of *Middleſex*, late Lord Treaſurer of *England*, and to deſire his Majeſty to take away the Staff and the Seal of the Court of Wards from him.

Ordered alſo, That the King's Counſel do draw up a Bill, and preſent the ſame to the Houſe, to make the Lands of the Earl of *Middleſex* liable unto his Debts; unto his Fine to the King; unto Accounts to the King hereafter; and to Reſtitution to ſuch whom he had wronged, as ſhall be allowed by the Houſe.——This Bill afterwards paſſed into a Law; but not with that Unanimity, in the Lower Houſe, as in the Trial before the Lords; for, upon the third reading thereof in the Commons, it was carried by a Majority of but thirty-ſix Voices (*k*).

The ſame Day the Biſhop of *Norwich* beſought the Lords to remember the Meſſage from the Commons, on the 8th Inſtant, for a Conference touching ſome Accuſation againſt his Lordſhip, which their Lordſhips then deferred, by reaſon of the Thinneſs of the Houſe; and deſired them to appoint The Commons Complaint againſt the Biſhop of Norwich.

(*i*) *Dugdale* ſays he was buried in St. *Michael's* Chapel, *Weſtminſter* Abbey, and has given us the Epitaph on his Monument. By one Expreſſion in it, the Family ſeem to be deſirous to wipe off the Odium of his Trial and Sentence; The Words are theſe, after enumerating his various Preferments and Title;

——*Hinc gliſcente Invidia urgentur adverſæ*
Rerum Procellæ, dum animoſa movet lucentes
(Quæ Innocentiæ Conſcientia) forte jactatus
Tantum non Naufragiis enatavit, ſedata
Hieme figit Anchoram in Re lauta,
Sereno Senectutis Otio reſpiravit, expiravit.

Dugdale's Baronage, Vol. II. p. 445.

(*k*) On the Queſtion of paſſing the Bill, Sir *Francis Fane* and Sir *Francis Seymour*, were Tellers for the *No.* 89; Sir *Francis Barrington* and Sir *Robert Harley*, for the *Yea*, 125.

Printed Journals, Vol. I. p. 797.

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An. 22 James I. 1624. point a Time for the same, with what Expedition they conveniently may; whereupon a Committee was then named for that Purpose.

May 15. The Archbishop of *Canterbury* reported to the House, 'That he, and the other Lords appointed, had waited on his Majesty, to acquaint him with the Judgment against the Earl of *Middlesex*, and humbly desired him to send to the said Earl for the Staff, &c. and that his Majesty answered, That he would do so.'

Report of a Conference thereupon;

May 19. A Report was made, by the Archbishop of *Canterbury*, of a Conference with the Commons, touching a Complaint against the Bishop of *Norwich*, to this Effect:

'That the Commons had received a Complaint exhibited against the said Lord Bishop, by the Citizens of *Norwich*: And, to shew that it was ordinary for the Commons to complain against the Governors of the Church, divers Records of Parliament were cited; *Annis* 18 *Ed.* III. 35 *Ed.* III. 50 *Ed.* III. 17 *Rich.* II. and the 11 *Hen.* IV. which were cited to satisfy tacit Objections for their meddling with a Cause of this Nature.'

Articles of the Charge against him.

'That the Charge against the said Bishop consisted of six Parts.'

I. 'That he inhibited or disheartened Preachers on the *Sabbath* Day in the Forenoon.'

II. 'That Images were set up in the Churches, and one of the *Holy Ghost* fluttering over the Font; that a Marble Tomb was pulled down, and Images set up in its room, and the Bishop blessed them that did it.'

III. 'That he punished those who prayed not towards the East.'

IV. 'That he punished a Minister for catechising his Family, and singing of Psalms.'

V. 'That he used Extortion many Ways.'

VI. 'That he did not enter Institutions, to the Prejudice of Patrons.'

'To the first Article it was said, That there were thirty-four Churches in *Norwich*; in those Parishes

Parishes 30 or 40,000 People: That the Lord Bishop sent for the Preachers, by the Apparitors, and told them, There was no Need of Preaching on *Sunday* in the Forenoon, except in the Cathedral Church; although two or three thousand could only hear there; many dwelling three Quarters of a Mile off, and many were old, and not able, for their Age, to come so far.' An. 22 James I. 1624.

'That the Inhibition was when the King had commanded more Preaching, that his Lordship connived at Recusants, all which was the disheartening of the good Professors. It may be allowed of Catechizing; *ergo*, no Preaching necessary: But he commanded to ask bare Questions, and nothing else; *ergo*, no Instructions.'

'That this is done against the Canons of the Church, and that there is no Obedience without Knowledge. The outward Man is not conformed, unless the inward Man be reformed; and cited the Canon, *Quicunque contristaverit Doctorem Veritatis peccat in Christum*; with the Canon, 1 *Jacobi*, *Cap.* 25. for commanding Preaching.'

'For the *second*, touching the setting up of Images.

'It was said to be against Acts of Parliament, against the Canons of the Convocation, the Book allowed in the Time of *Hen.* VIII. 28 *Hen.* VIII. *Cap.* 30. against Images, Pilgrimages, *&c.* against the 3 *Ed.* VI. and the Homilies approved, *Anno* 1 *Eliz.* forbidding Images in Churches.'

'The *third*, for Prayer to the East.'

'Which *Gratian* affirms came by Tradition, *Pars* 1. *Dist.* 11. And that it is superstitious, *Linwood* in the *Glosses*, *Lib.* 2. *Tit. de Feriis*, *Non refert si versus Orientem*, *&c.* That the Bishop excommunicated many, and enjoined Penance unto divers, for praying to the East; and some did their Penance with a withy Rod in their Hand; the Proof thereof is under the Bishop's Hand.'

'The *fourth*.'

'One *Peck*, a Minister, catechized his Family, and sung Psalms, his Neighbours coming in, of a *Sunday* after Evening Prayers. The Bishop enjoined

An. 22 James I. 1624. joined them to do Penance, for this their reſorting to catechize and ſing Pſalms, and to ſay, *I confeſs my Errors*, &c. which Acknowledgement is under the Biſhop's Hand. They who refuſed, were excommunicated, and paid 7*l.* Charges. And it was particularly obſerved by the Commons, that this *Peck* was a conformable Preacher.'

'*Fifthly*, Touching Extortion.'

'It was ſhewn, That, in the Table of Fees, there is ſet down, for Inſtitution 24*s.* 8*d.* whereof to the Biſhop 10*s.* That this Lord Biſhop is Regiſter alſo, and now himſelf, taketh, for Inſtitution, 3*l.* 5*s.* and, for united Churches, double; and that, *communibus Annis*, there are an hundred Inſtitutions.'

'For Admiſſion into ſacred Orders, nothing ſhould be taken; if any, it is *Simony*. Yet this Biſhop taketh now 29 or 30*s.* the Biſhop and Regiſter being all one. To ſerve Cure, 5*s.* is due; he takes 6*s.* 8*d.* To teach School, 3*s.* 4*d.* is due; he takes 6*s.* 8*d.* and, if of Ability, 10*s.* For every Conſignation of a Decree 4*d.* which comes to 3*l.* *per Annum*, for which there ſhould be nothing paid; no Conſignation being on the Table, but ſet down in Archbiſhop *Whitgift's* Time, in another Hand.'

'*Sixthly*, Touching the entering of Inſtitutions.'

'That the Inſtitutions to Benefices are not regiſtered; which overthrows the Patronages, if it be returned *Scrutatis Archivis non invenitur*, when the Right comes in queſtion; yet the Fees are greater than before.'

The Commons concluded with theſe two Remembrances.

'The *firſt*, That they received this Complaint before *Eaſter* laſt; yet they proceeded not in the Examination thereof till they received a Certificate from the Mayor of *Norwich*.'

'The *ſecond*, That none ſhall be puniſhed for complaining in Parliament.'

This Report being ended, the Biſhop of *Norwich* ſtood up in his Place, and anſwered the ſame to this Effect:

Firſt,

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'*First*, His Lordſhip confeſſed the Charges in the ſaid Complaint to be ſo great and grievous, that were he guilty thereof, he would deſire, himſelf, to be puniſhed: But, whether he be guilty, or not, he will leave to their Lordſhips exact and ſevere Examination; wherein he deſired them not to ſpare him, and he would ever acknowledge and commend their Juſtice and Honour.' An. 22 James I. 1684.

The Biſhop of Norwich's Defence.

'His Lordſhip proteſted he was no way guilty of the firſt Part of this Accuſation; if he were, that he was unworthy to bear the Name of a Clergyman. He ſhewed the Unworthineſs of ſuch as ſhould diſhearten Preachers from preaching the Word of God. His Lordſhip ſhewed alſo, deſiring firſt that he might not be taxed with Oſtentation, his own Practice in preaching, whilſt he was Vicar and Parſon: That he preached every *Sabbath* in the Morning, and catechized in the Afternoon; and that he continued the like Preaching whilſt he was Biſhop of *Chicheſter*: That in *Norwich* he never miſſed the public Place, and ever preached there againſt Popery; though he had been an unprofitable, yet he had not been an idle Servant; which was now his only Comfort.'

'As touching Preaching and Non-reſidence, he had been reckoned more than half a Puritan: He told them of his Manner of living, and his leaving the Archbiſhop of *Canterbury's* Service that he might go to his Cure. He wondered why he ſhould be thought a *Papiſt*; he thought it might be owing to his Diſputations, and his Sermons at *Paul's Croſs*, on Predeſtination negative, unadviſedly preached by him; for which he was checked by Archbiſhop *Whitgift*, and commanded to preach no more of it; and he never did, though Dr. *Abbot*, late Biſhop of *Sarum*, hath ſince declared in Print that which he then preached to be no *Popery*.'

'That *Popery* is a Fire that will never be quiet, he hath preached a thouſand Sermons; and nothing of *Popery* can be imputed to him out of any of them. That there were divers Obſtacles to keep him from *Popery*.

1. 'The

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An. 22 James I. 1624.

1. 'The Uſurpation of the *Pope* of *Rome*.' His Lordſhip affirmed, That no Power on Earth can touch a Prince; and therefore he abhorred the Uſurpation of the *Pope* over Princes.'

2. 'Their Religion is died in Blood.'

3. 'The practic Courſe of their Religion is all by juggling and feigned Miracles; of which his Lordſhip had writ a Book againſt them, which was never as yet anſwered. That he never ſpake with Prieſt or Jeſuit, nor never invited a known Recuſant to his Table; for they never ſay *Amen* to our Prayers.'

4. 'That their Equivocations are the laſt; worſe than which nothing can be; his Lordſhip held it much better to take on with the Devil than with ſuch. Then he profeſſed himſelf to be a true Member of this Church, and acknowledged the Church of *England* to come neareſt to the primitive. That we fetch not our Reformation from *Wickliff*, *Huſs*, and *Luther* of latter Times, but from the firſt four hundred Years next after Chriſt.'

I. 'As touching the firſt Part of the Accuſation.' His Lordſhip confeſſed, That ſix or ſeven of the abler Sort of Miniſters in *Norwich* uſed to expound, in their own Churches, before the Sermon began in the Cathedral Church; and many reſorted from other Places to their Expoſitions, (for all the Churches have not Preachers) and in the Afternoon to their Sermons. The Preachers themſelves found Fault with this, being willing to be rid of the Pains, for they uſed to preach in the Afternoon and on the Week-Days, and thereof bare many Diſorders therein, which they pretended; as the cutting off Part of the Prayers, or their beginning ſo early, that many could not come to the common Prayers, and the like; and they beſought his Lordſhip to remedy it, becauſe they, being ſtipendiary Men, were loth to do it, for fear, belike, to loſe their Stipends; whereupon he ſent for them by an Officer, and willed them to omit theſe Expoſitions in the Forenoon; and yet he had ſince taken Order for the erecting of three Sermons in the moſt remote Parts of the City from the

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Cathedral Church; and he also had erected many Lectures in several Places of the Country.' An. 22 James I. 1624.

II. 'As touching the Images in a Church,'

'What was done was done without his Knowledge; it was meant St. *Peter's* Church: That his Lordship never saw that Church till one Evening as he came by; and being informed of much Cost done upon it, he went in, and kneeled down to his Prayers, as his Use was. When he rose up, and perceived that they had bestowed very great Cost, and not seeing or knowing of any Image at all set up there, he said, *God's Blessing on their Hearts that had bestowed such Cost on God's House.*'

III. 'As touching Prayers to the *East*:

'He never enjoined it, nor heard of it till now.'

IV. 'For the fourth Part of his Complaint:

'He perceived that he had been sifted through the whole Course of his Life; that this *Peck* was sent to him by the Justices of the Peace, for keeping an Assembly late at Night at his House; his Catechizing being but a Colour to draw them thither. That this *Peck* had infected the Parish with strange Opinions; as not to kneel when they came to Church; that the Name of *Jesus* is no more than a common Name, and that it is Superstition to bow down at it. His Lordship affirmed that this *Peck* had formerly been convicted of Nonconformity, *Annis* 1615 *et* 1617; also, for Simony and Conventicles in his Neighbour's House, as appears by an Act in the Register.'

'That *Anno* 1622, he was taken in his House with twenty-two of his Neighbours, at a Conventicle; that he was then bound over by a Justice and brought to his Lordship, and his Sentence against him was, only, that he should confess his Fault.'

'The others, mentioned in this Part of the Charge, were punished for their Opinions also, making no Difference between an Alehouse and the Church, till the Preacher was in the Pulpit. He said, he must confess his Fault, That in the Penance

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An. 22 James I. 1624. nance which he enjoined, he caused them to confess their Errors, omitting their Resort to Conventicles, which he did at their own earnest Suit.'

V. 'His Lordship absolutely denied that he imposed any Fees, and affirmed that he had not any of those Fees which were complained of; only, the Fees for Institution, which he took as his Predecessors did. If therein he had committed any Error, *Erravimus cum Patribus*; and denied that he had ever seen that Table of Fees which is spoke of by the Commons.'

VI. 'His Lordship affirmed, That he had registred all the Institutions.'

When the Bishop had ended his Defence, his Royal Highness the Prince stood up and told him, 'That he had not answered concerning the Paraphrase of the *Catechism* which he had taken away.' To which the Bishop replied, 'That the Preachers used to chuse a Text from the *Creed*, &c. and to ask the Child some one Question, and then to dilate very long upon it, but never descended to the Capacity of the Child. That he did not forbid the Explanation, but ordered that it should be done catechetically.'

We may suppose that the Lords were very willing to be rid of this Affair, for an Order is entered, immediately after the Bishop's Answer, 'That, in respect of the Shortness of Time and the Multiplicity of Business, now depending to be determined, the Complaint of the Commons, against the Lord Bishop of *Norwich*, shall be referred to the High Commission Court, to be examined by them; and they to make Report thereof to the House, and then the House will judge of it.'

The same Day the Bishop of *Norwich* exhibited a Complaint to the House against one *Thomas Stokes*, Clerk.

His Complaint to the Lords against one Thomas Stokes.

'That whereas the said *Thomas Stokes* had preferred a Petition to the House of Commons against his Lordship, for excessive Fees, pretended to be taken by his Lordship, and for other Grievances therein

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therein mentioned: He acknowledged the Proceedings of the ſaid *Stokes* to be legal, and humbly ſubmitted himſelf to an Examination and ſtrict Trial. However, he complained that the ſaid *Stokes* had ſent his Lordſhip this Meſſage: That if he would ſuffer a Judgment in the Court of Common Pleas for him, the ſaid *Stokes*, to the Archdeacon of *Norfolk*, that then *Stokes* would proſecute no further againſt his Lordſhip; otherwiſe, he would ſmoke him with more Complaints. Moreover, that the ſaid *Stokes* reported that his Lordſhip did drink a Health to *Spinola*, and refuſed to pledge a Health to the Prince of *Orange*, for that the ſaid Prince was a General unto Traitors. *Laſtly*, That *Stokes* affirmed his Lordſhip did take thirty Pounds of every one of the Archdeacons when he came firſt to his See. All which his Lordſhip affirmed to be falſe.' Ann. 22 James I. 1624.

This Complaint, with the Witneſſes the Biſhop produced to prove it, was referred to the Examination of the Archbiſhop of *Canterbury*, who was to make Report thereof to the Houſe for their Judgment of the Matter. Which is referred to the Archbiſhop of Canterbury.

But we hear no more of this Affair, or the former, in the *Journals*, or elſewhere; for neither *Wilſon* nor *Ruſhworth* mention one Word of it. This Biſhop of *Norwich* was *Samuel Harſnet*, who *Le Neve* tells us had been guilty of ſeveral ſcandalous Practices, whilſt he was Maſter of *Pembroke-Hall* in *Cambridge* (*l*). By his Anſwer, he ſeems to clear himſelf from the Commons Complaint againſt him; which, by-the-by, is ſomewhat extraordinary, and would not have been ſuffered in the laſt Reign. He came into higher Favour, at Court, in the next; for in the Year 1628, he was made Archbiſhop of *York*. But to return to our Proceedings.

The ſame Day, ſtill, a Meſſage was brought from the Commons to the Lords, by Sir *Edwin Sandys* and others, to this Effect:

'That the Knights, Citizens, and Burgeſſes, in the Houſe of Commons aſſembled, underſtanding that

(*l*) *Le Neve's Lives of the Proteſtant Biſhops.*

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An. 22 James I. 1624.

that his Majesty's Pleasure is to put an End to this Session on *Saturday* next, the 22d *Instant*, within which short Time, neither that House nor theirs can perfect those Businesses which are begun; they do humbly desire their Lordships to join with them in Petition to his Majesty for a longer Time.'

The Commons desire a longer Continuance of the Session.

First, 'For that the King permitting them to name their own Treasurers, for the *Subsidy* this Parliament, much longer Time hath been spent in that Bill than usual, because they had no Precedent for the same; whereby many good Bills were delayed.'

Secondly, 'For that the Business of free Trade, which had been long disordered, had brought many general Complaints unto them; not only by the Merchants, but the Clothiers and those of the meaner Sort. Which, if they have longer Time, they hope so to accommodate, that it shall be advantageous to the King's Profit, and give Content both to the Poor and to the Rich.'

Thirdly, 'The Bill for the *Subsidy* of the Clergy was but newly come into their House; and their own Bill of *Subsidy* is yet to have another Reading.'

Lastly, 'For that they understand that their Lordships have so many Bills, and other Matters of Weight, as yet depending, that they doubt whether they can perform them in so short a Time. Wherefore, and to hold that fair Correspondence, which have hitherto continued between both Houses, they make this earnest Request; not intending to entertain any new Matters, but those, only, which are begun and ready to be finished.'

The Messengers being withdrawn, his Highness the Prince signified unto the House, 'That at his coming from the King, his Majesty told him that he was determined to end this Session on *Saturday* next; and commanded his Highness so to answer them who should move to have that Time prolonged. But what his Majesty would do therein, when he shall hear these Reasons, his Highness said he knew not.' Whereupon, the House humbly besought

beſought the Prince to move his Majeſty to give a longer Day. An. 22 James I. 1624.

The Meſſengers were then called in and anſwered, 'That the Lords do take in good Parts their Willingneſs to hold good Correſpondency with them, and have weighed the general and particular Reaſons expreſſed, for a longer Day of Continuance of this Seſſion; But they have received ſuch abſolute Directions from his Majeſty for the End of this Seſſion, at a Day now ſo near at Hand, that they cannot give the Commons any Hope of obtaining a longer.'

'Yet, conſidering that his Majeſty knew not of theſe Reaſons, their Lordſhips have entreated the Prince to move him for a longer Day. What this will produce they know not; wherefore their Lordſhips will haſten the Diſpatch of their own Buſineſs, againſt the Day which his Majeſty hath limited, as much as they can, and they doubted not but the Commons would do the like.'

May 20. The Lords now ſeemed to be in Haſte to expedite the Bills in their Houſe, and the Commons ſent up five Bills from theirs, along with this Meſſage: 'That they deſire a Conference with their Lordſhips, touching a Petition to the King for removing all juſtly ſuſpected *Recuſants* from their Offices of Truſt.'

Anſwer was returned, 'That they would meet them preſently; but, before the Lords went to this Conference, the Prince acquainted the Houſe, That his Majeſty was content to prolong this Seſſion unto *Saturday*, *May* 29, ſo that his Highneſs would engage himſelf that neither of the two Houſes would entertain any new Matter in the mean Time; and that he ſhould know, firſt, the Minds of the Commons therein.' It was agreed, That this ſhould be intimated to them at the Meeting.

Which the King agrees to at the Requeſt of the Prince.

The ſame Day a Report was made by the Archbiſhop of *Canterbury* of what paſſed at this Conference. He told the Houſe, That the Commons

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An. 22 James I. 1624. produced an humble Petition to the King, desiring the Lords to join with them in it, as heretofore. Which Petition was read in these Words:

The Commons Petition against Recusants, to which they desire the Concurrence of the Lords.

WE your Majesty's loyal and faithful Subjects, the Commons, (by your Royal Authority and Commandment called to and assembled in this present Parliament, out of all the Parts of your Kingdom of England *and Dominion of* Wales), *do, in all Humility, give your Majesty most humble Thanks, that you have so religiously and openly published, that your Laws and Acts of State against* Popish Recusants *should be put in due Execution. And now we hold it our bounden Duty (amongst other the important Affairs of your Realm) to inform your Majesty of the Growth of this dangerous Sort of People within this your Kingdom, and of their Insolency and Boldness in all the Parts thereof, insomuch as many of them (unknown to your Majesty) have crept into Offices, and Places of Government and Authority under you, to the disheartning of your good Subjects, and contrary to your Majesty's Laws and Acts of State; whose Names (in Discharge of our Allegiance and Duty, without Respect of Persons) we, in all Humbleness, present to your Majesty.*

The NAMES of all such Persons as are certified to have PLACES of CHARGE or TRUST, in their several COUNTIES, and are themselves POPISH RECUSANTS or NON-COMMUNICANTS, that hath given overt Suspicion of their Ill-Affection in RELIGION, or that are reported or suspected so to be.

The Rt. Hon. Francis *Earl of* Rutland *is certified to be Lord Lieutenant in the County of* Lincoln, *and a Commissioner of the Peace and* Custos Rotulorum *in the County of* Northampton, *and a Commissioner of the Peace, and Oyer and Terminer in* Yorkshire, *and in other Counties, and that he and his Wife are suspected to be* Popish Recusants.

The

An. 22 James I. 1624.

The Rt. Hon. the Earl of Castlehaven *is certified to be a Commissioner of the Peace, and of Oyer and Terminer in* Wiltshire, *and suspected to be ill-affected in Religion, and that some of his Family either are, or lately were,* Recusants.

Sir Thomas Compton, *Kt. is certified to be a Commissioner of the Peace, and of Oyer and Terminer in* Warwickshire, *and he and the Countess his Wife are certified, by Fame, to be suspected to be* Popish Recusants.

The Rt. Hon. Henry *Lord* Herbert *is certified to be a Commissioner of the Peace in* Monmouthshire, *and to favour the* Popish Religion, *and to forbear the Church.*

The Rt. Hon. the Lord Petre *is certified to be a Commissioner of the Peace in* Essex, *and, by Report, that he cometh not to the Church nor receiveth the Communion; and that his Wife and Family are generally suspected to be* Popish Recusants.

The Rt. Hon. Henry *Lord* Morley *is certified to be a Commissioner of the Peace in* Lancashire, *and to be suspected to be a* Popish Recusant.

The Rt. Hon. the Lord Viscount Colchester *is certified to be a Commissioner of the Peace in* Essex, *and, by Report, that he cometh not to the Church, nor receiveth the Communion.*

The Rt. Hon. the Lord Windsor *is certified to be a Commissioner of the Peace in* Buckinghamshire, *and, by common Fame, to be a* Popish Recusant.

The Rt. Hon. William *Lord* Eure *is certified to be a Justice of the Peace in the County of* Durham, *and to be a* Popish Recusant *convicted.*

The Rt. Hon. the Lord Wooton *is certified to be in Place of Authority in* Kent, *and that he and his Wife do forbear the Church, and are justly suspected to affect the* Roman Religion.

The Rt. Hon. the Lord Teynham *is certified to be a Commissioner of the Peace in* Kent, *and, by common Report, to be a* Popish Recusant.

The Rt. Hon. the Lord Scroope *is certified to be a Lord Lieutenant of the County of* York, *of the City of* York, *and of* Kingston-upon-Hull, *and to be*

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An. 22 James I. 1624. *a Commiſſioner of the Peace, and of Oyer and Terminer in the ſaid Counties, and in ſundry other Counties; and that his Lordſhip hath not received the Communion once every Year in the laſt three or four Years; and that his Lordſhip hath given overt Suſpicion of his Ill-Affection in Religion, by his Departure from the Communion on ſundry Days when his Majeſty's Council there reſident, and others of the Congregation, ſtayed behind to receive the ſame, ſometimes on* Eaſter-Day, *and ſometimes on the 5th Day of* November; *and it is teſtified by Witneſſes, that the Lord Archbiſhop's Grace of* York, *and others of his Majeſty's Council there reſident were preſent, and did receive the Communion once when his Lordſhip went away; and that his Lordſhip doth rarely repair to the Church on Sundays and Holidays in the Forenoon, and not above twice to the Afternoon Sermons, whereunto former Lord Preſidents, with his Majeſty's Council there reſiding, have frequently repaired, and whereunto the Council now there reſident do ordinarily repair ſince he was made Lord Preſident; whereof Notice is taken by all his Majeſty's Subjects in thoſe Parts, to the great Grief of ſuch as are truly affected in Religion.*

Sir William Courtney, *Kt. is certified to be a Commiſſioner of the Peace and a Deputy-Lieutenant in* Devonſhire, *and is a Colonel of a* 1000 *trained Soldiers of that County, and is Vice-Warden of the Stanneries, and that he is ſuſpected to be a* Popiſh Recuſant, *and that he hath not received the Communion in many Years laſt paſt.*

Sir Thomas Brudenell, *Kt. is certified to be a Commiſſioner of the Peace, and Deputy Lieutenant in* Northamptonſhire, *and that he is a ſuſpected* Recuſant.

Sir Thomas Somerſet *is certified to be a Commiſſioner of Oyer and Terminer in* Glouceſterſhire, *and that he is reported to be a* Popiſh Recuſant.

Sir Gilbert Ireland, *Kt. and* Richard Sherborn, *and* John Fleming, *Eſq; are certified to be Commiſſioners of the Peace in* Lancaſhire, *and that they are ſuſpected to be* Popiſh Recuſants.

Sir

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Sir Francis Stoner, *Kt. is certified to be a Juſtice of the Peace, or a Deputy Lieutenant, or both, in* Oxfordſhire, *and to be a* Popiſh Recuſant. An. 22 James I. 1624.

Sir Anthony Browne, *Kt. is certified to be a Commiſſioner of the Peace in the County of* Norfolk, *and that he is reported to be a* Popiſh Recuſant.

Sir Francis Howard, *Kt. is certified to be a Juſtice of the Peace and* Cuſtos Rotulorum *in* Surrey, *and is ſuſpected to be ill-affected in Religion.*

Sir William Powell, *Kt. is certified to be a Juſtice of the Peace in* Staffordſhire, *and to be a Non-Communicant, and that his Wife cometh not to Church.*

Sir Francis Lacon, *Kt. is certified to be a Juſtice of the Peace in* Shropſhire, *and that he is ſuſpected to be a* Popiſh Recuſant.

Sir Lewis Lewkner, *Kt. is certified to be a Commiſſioner of the Peace in* Middleſex, *and that he and his Wife are ſuſpected to be* Popiſh Recuſants.

Sir William Aubrey, *Kt. is certified to be a Commiſſioner of the Peace in* Brecknockſhire, *and that he is reported to be a* Popiſh Recuſant.

William Jenniſon, *Eſq; is reported to be a Commiſſioner of the Peace in* Newcaſtle upon Tyne, *and that he is ſuſpected to be* Popiſh *and backward in Religion.*

Sir John Gage *and Sir* John Shelly, *Barts. and* John Thetcher, *Eſq; are certified to be Commiſſioners of the Sewers in the County of* Suſſex, *and to be known* Papiſts.

Sir Henry Caryll *is certified to be Captain of a Foot-Band in the County of* Norfolk, *and a Commiſſioner of Sewers, and that he is reported to be a* Popiſh Recuſant.

Sir Thomas Wiſeman, *Kt. Son of Sir* Thomas Wiſeman, *Kt. that is a Juſtice of Peace, is certified to be a Captain of a Foot-Band in* Eſſex, *and to be a profeſſed* Papiſt.

Sir Thomas Gerard, *Kt. is certified to be a Captain of a Company of the Freehold-Band in* Lancaſhire, *and that he is ſuſpected to be a* Popiſh Recuſant.

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An. 22 James I. 1624. *Sir* John Philpot, *Kt. is certified to be a Captain of a Foot-Company in* Hampshire, *and that he and his Wife and Children are* Papists.

Sir Thomas Russel, *Kt. is one of the Deputy Lieutenants, and a Justice of the Peace in the County of* Worcester, *and is justly suspected to be a* Papist.

The NAMES of all such PERSONS who are certified to be in PLACES of CHARGE or TRUST, in their several COUNTIES, and that have Wives, Children, and Servants, that are POPISH RECUSANTS or NON-COMMUNICANTS, or that are suspected or reported so to be.

Sir Henry Beddingfield *is certified to be a Commissioner of the Peace, and a Deputy Lieutenant in* Norfolk, *and Captain of the Lances there, and that his Wife and Children are reported to be* Popish Recusants.

Sir William Wray, *Kt. is certified to be a Deputy Lieutenant in* Cornwall, *and that his Wife is a* Recusant.

Sir John Conway, *Kt. is certified to be a Commissioner of the Peace, and one of the Deputy Lieutenants in* Flintshire, *and that his Wife is held to be a* Popish Recusant.

Sir Charles Jones, *Kt. and* William Jones, *Esq; are certified to be Commissioners of the Peace and two Deputy Lieutenants in* Monmouthshire, *and that their Wives are* Recusants.

Sir Ralph Conyers, *Kt. is certified to be a Commissioner of the Peace and Deputy Lieutenant in the Bishoprick of* Durham, *and that his Wife is generally reported to be a* Popish Recusant.

Sir Thomas Lamplugh, *Kt. is certified to be a Commissioner of the Peace in* Cumberland, *and that his Wife is a* Recusant.

Sir Thomas Savage, *Kt. and Bart. is certified to be a Commissioner of the Peace in* Cheshire, *and that his Wife is suspected to be a* Recusant; *and, by common Fame, it is reported, that the said Sir* Thomas

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man Savage is a Deputy Lieutenant there, and that he is ſuſpected to be a Non-Communicant, and his Children are ſuſpected to be Recuſants. An. 22 James I. 1624.

Sir William Maſſey, *Kt. is certified to be a Commiſſioner of the Peace in* Cheſhire, *and that his Wife is a* Recuſant.

Sir Hugh Beſton, *Kt. is certified to be a Commiſſioner of the Peace, and that his Daughter and Heir apparent is a* Recuſant.

Sir Thomas Liddel, *Kt. is certified to be a Commiſſioner of the Peace for the Biſhoprick of* Durham, *and that his Wife is a* Popiſh Recuſant.

Thomas Petre, *Eſq; Brother of the Lord* Petre, *is certified to be a Commiſſioner of the Peace in* Eſſex, *and that his Wife and Family are ſuſpected to be* Recuſants.

Sir Marmaduke Wyvill, *Kt. and Bart. is certified to be a Commiſſioner of Oyer and Terminer, and lately made one of his Majeſty's Council in the* North, *and that his Wife is a* Popiſh Recuſant *convicted.*

Sir John Townſhend, *Kt. is certified to be a Commiſſioner of the Peace in the County of* Hereford, *and that his Wife is reported to be a* Papiſt.

Sir William Norris, *Kt. is certified to be a Juſtice of the Peace in* Lancaſhire, *and that he hath a Daughter that is a* Recuſant; *and that he hath two Sons that do ſerve under the Archduchеſs.*

James Anderſon, *Eſq; is certified to be a Juſtice of the Peace in* Lancaſhire, *and that his Wife and his eldeſt Son are apparent* Recuſants.

Edward Morgan *and* George Milbourn, *Eſqrs. are certified Commiſſioners of the Peace in* Monmouthſhire, *and that their Wives are* Recuſants.

Sir Philip Knevitt, *Bart. is certified to be a Juſtice of the Peace in* Norfolk, *and that his Wife is a* Recuſant.

Sir John Taſborough, *Kt. and* Anthony Hobart, *Eſq; are certified to be Commiſſioners of the Peace in* Norfolk, *and that their Wives are reported to be* Recuſants, *and Mr.* Hobart's *Children are* popiſhly *educated.*

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An. 22 James I. 1624. *Sir* William Selby, *Kt. and* Cuthbert Heron, *Esq; are certified to be Commissioners of the Peace in* Northumberland, *and that their Wives are* Recusants.

Sir Richard Tichbourne, *Kt. is certified to be a Commissioner of the Peace in* Hampshire, *and that his Wife is of the* Popish Religion.

Sir John Hall, *Kt. is certified to be a Commissioner of the Peace in* Hampshire, *and that his Wife and her Daughter are* Papists.

Sir George Perkins, *Kt.* Robert Peirpoint *and* Fulk Cartwright, *Esqrs. are certified to be Commissioners of the Peace in the County of* Nottingham, *and that their Wives are thought to be* Recusants.

Thomas Oatley, *Esq; is certified to be a Commissioner of the Peace in* Shropshire; *and* Richard Gibbons, *Gent. to be a Coroner there, and their Wives be* Recusants.

Rice Williams, *Esq; is certified to be a Commissioner of the Peace in* Caermarthenshire, *and that his Wife is a* Popish Recusant *convicted.*

Sir Thomas Penruddock, *Kt. is certified to be a Commissioner of the Peace in* Middlesex, *and that his eldest Son is a* Recusant.

Valentine Saunders, *Esq; is certified to be a Commissioner of the Peace in* Middlesex, *and that his eldest Son is a* Recusant.

Thomas Rochell, *Esq; is certified to be a Commissioner of the Peace in* St. Edmondsbury, Suffolk, *and that his eldest Son is reported to be a* Popish Recusant.

Anthony Thorold, *Esq; is certified to be a Commissioner of the Peace in* Lincolnshire, *and that he hath a Son that is suspected to be a* Popish Recusant.

Sir Nicholas Saunders, *Kt. is certified to be a Commissioner of the Peace in* Surrey, *and his Wife is suspected to be a* Popish Recusant.

Now, in consideration of the great Countenance hereby given to Popery, *the great Grief and Offence to all your best affected, true, and loving Subjects, the apparent Danger of the whole Kingdom, by*

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by putting the Power of Arms into ſuch Hands as, by former Acts of your Majeſty's Council, are adjudged Perſons juſtly to be ſuſpected, and themſelves fit to be diſarmed; Your ſaid loyal and faithful Subjects do moſt humbly beſeech your Majeſty, graciouſly to vouchſafe that the ſaid Lords and Gentlemen above named, for theſe important Reaſons, and for the greater Safety of your Majeſty, and of your Realm and Dominion, may be removed from all your Majeſty's Commiſſions of great Charge and Truſt, Commiſſions of Lieutenancy, Oyer and Terminer, and of the Peace, and from all Offices and other Places of Truſt. An. 22 James I. 1624.

This Petition being read, the Lords deferred the Debate thereon, for that Time, becauſe the Day was far ſpent; but gave an Anſwer to the Meſſengers who attended for the ſame, That they would conſider of the Petition, and would ſend them an Anſwer when they were reſolved of it. The Commons returned the Lords Thanks, and ſaid, their Houſe had made an Order to receive no more Bills, or entertain any more new Buſineſs this Seſſion. The ſame Order was made by the Lords.

May 21. This Day the Petition of the Commons, for diſplacing *Popiſh* Recuſants, was read a ſecond Time; and, after ſome Debate, an Anſwer was reſolved on to be given to the Commons about it. Accordingly a Meſſage was ſent by the Lords to deſire another Conference; and, in the mean Time, the Anſwer was put into Writing, and read to the Houſe *in hæc Verba:* The Anſwer of the Lords concerning the ſaid Petition.

'That we take great Contentment in the Concurrence which has been between the two Houſes, from the Beginning of this Seſſion, and which we doubt not but ſhall continue to the End.

'That what hath been deſired in your Petition, concerning *Popiſh* Recuſants, is wholly allowed and approved of; our Hearts do go along with what is propounded by the Commons.

'But

An. 22 James I. 1624.

'But that our Way in Judicature, as they know, 'is, to proceed upon Oath, and to hear the Party's 'Defence, which the Shortneſs of Time in this 'Caſe, can by no Means permit. That if we 'ſhould publicly go in a Committee of both 'Houſes to the King, we ſhould ſtrike deep into 'the Reputation of the Parties concerned, and give 'his Majeſty, and the whole World, Occaſion to 'think, That we did both judge and condemn be-'fore we had heard.

'Notwithſtanding, we do incline, if they like 'of it, to move his Highneſs the Prince, privily to 'acquaint his Majeſty with this as with a Matter of 'State; not doubting but that his Majeſty will 'take it into his grave and prudent Conſideration; 'ſo that ſuch Effect, as we truſt, is like to follow, 'as will give us all good Contentment.'

This Anſwer was approved of by the other Houſe, at the Conference; who rendered their moſt humble Thanks to the Prince, 'That he was pleaſed, as of himſelf, to intimate their Requeſts unto his Majeſty; and that they hoped it would receive a gracious Anſwer.'

The Subſidy Bill paſſed by the Commons.

Nothing was now done in either Houſe for ſeveral Days, but expediting the Bills they had before them. On the 24th of *May*, the Bill for granting an Aid to his Majeſty of three entire *Subſidies*, and three *Fifteenths* and *Tenths*, was ſent up by the Commons; and, the next Day, on the ſecond Reading of this Bill, before it was committed, the Judges were appointed by the Houſe to conſider of ſome Points of Judicature in the ſaid Bill, and to deliver their Reſolutions about it.

May 26. The Lord Preſident of the Council reported to the Houſe, That the Judges had given in their Reſolutions, concerning ſome Queſtions ariſing on the Bill of *Subſidies*; which was read in the Houſe as follows:

'Re-

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'Reſolved, by general Conſent, That upon the Peruſal of ſeveral Parts of the Act of *Subſidy*, they do not conceive that there is any thing therein, which may impeach or blemiſh the Privilege or Power of the Higher Houſe, or add to the Privileges of the Lower, in any thing; ſave, in the particular Caſe in queſtion, and in no other Caſe of the like or other Nature; and that for theſe Reaſons:

An. 22 James I. 1624.

The Judges Opinions on ſome Clauſes thereof, in point of Privilege.

'*Firſt*, Becauſe the Judicature, in this particular Caſe, is not aſſumed, by the way of Privilege, to beget a Precedent, but by way of an Act; which taketh Effect, not only by themſelves, but by the Lords, and by the Royal Aſſent of the King.

'*Secondly*, Becauſe the Ground of this Act proceeded, originally, from the gracious Propoſition of his Majeſty himſelf (*e*), and that Propoſal is mentioned in the Act itſelf; ſo that there is nothing to be drawn from this Act to ground the like on hereafter, unleſs it be upon the ſame Propoſition from the King, with the Conſent of the Lords, who muſt fully aſſent unto it.'

'*Thirdly*, The Words, *That the Lords ſhall have Power by virtue of this Act*, are not privative to any former Power of the Lords, and are convenient in this particular Caſe, where the Offence is new; for, before this Act, there was neither Puniſhment for this Offence, nor the Offence to be puniſhed.'

'*Fourthly*, The reſerving the Puniſhment of thoſe, who, at this Time, are Aſſiſtants to the Higher Houſe, is no Derogation to that Houſe; for they have no inherent Right of being Aſſiſtants, as the Lords have of being Members of the Houſe; and this is done by Bill wherein the Lords join.'

'*Fifthly*, For that the Lords are joined with the Commons in the Commiſſion, the Account is to be joint; and therefore it is not poſſible to ſever them from the Commons, becauſe the Account would be lame and imperfect.'

'All which the Judges humbly ſubmit to their Lordſhips Judgment.'

Theſe

(*e*) See before, p. 95.

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An. 22 James I. 1624.

These Reſolutions were approved of by the Houſe; but the Lords thought fit to enter a Proteſtation in their *Journal Book*, before the *Subſidy* Bill was read a third Time; which was to this Purpoſe:

The Proteſtation of the Lords in conſequence thereof.

Foraſmuch as this preſent Act of Subſidy *from the Temporality, is, in many Things, different from the ancient uſual Form of a* Subſidy *Bill; and becauſe ſomething contained in the ſaid Act, may, in Time to come, be conſtrued either to leſſen the Juriſdiction of the one Houſe, or add to the Juriſdiction of the other, more than hath been uſed, or heretofore admitted: Therefore the Lords Spiritual and Temporal, in the Higher Houſe of Parliament now aſſembled, do hereby declare and pronounce, and cauſe this Proteſtation to be entered on Record in the Rolls of this Parliament.*

That no Words, Matter, or Thing, in this Act contained, ſhall hereafter be taken or conſtrued to give or take any Juriſdiction, Power, Privilege, or Authority, to or from either of the ſaid Houſes of Parliament; but that either of them ſhall, ſeverally and dividedly, hold, uſe, and enjoy ſuch and the ſame Liberties, Privileges, Powers, and Juriſdictions as, heretofore, they, or either of them, reſpectively had; any thing in this Act to the contrary notwithſtanding.

It may not be amiſs, in this Place, to look back into the *Journals* of the Commons, this Seſſion, for the firſt Motions of a Supply in that Houſe. We are told that the King's Demands to ſupport the State, in Caſe of a War with *Spain*, &c. on the Breach of the Treaties, was a Supply of ſix *Subſidies* and twelve *Fifteenths*. A mighty Sum to be raiſed all at once on the Subject.

Account of the Debate on the Subſidy Bill in the Common.

March 19. The Commons went upon this Demand, and a very long Debate is entered in the ſubſequent *Journal* of this Seſſion, altogether too tedious for this Deſign. In one Speech of Sir *Edward Coke's*, is a Calculation what the whole Sum of ſuch a Grant would amount to. He eſtimated that one *Subſidy* from the Laity would come to 70,000*l.* and a *Fifteenth* to 30,000*l.* a *Subſidy* from

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from the Clergy to 20,000*l.* the Total of which, multiplied by the Number of them demanded, would amount to 900,000*l.* almoſt a Million, which was more, he ſaid, than all *England* could raiſe, with any Conveniency. An. 22 James I. 1624.

After almoſt two Days Debate on this Matter, the Houſe came to the following Reſolution upon the Queſtion, without one negative Voice, 'That after his Majeſty ſhall have been pleaſed to declare himſelf for the utter Diſſolution of the two Treaties, for the Marriage and the *Palatinate*; the Houſe, in Purſuit of their Advice given to his Majeſty, and towards the Support of the War which is likely to enſue; and, more particularly, for theſe four Points propoſed by his Majeſty, namely, the Defence of this Realm; the ſecuring of *Ireland*; the Aſſiſtance of our Neighbours, the States of the United Provinces, and other his Majeſty's Allies; with the fitting out of his Majeſty's Royal Navy, will grant, for the preſent, *three Subſidies*, with *three Fifteenths* and *Tenths*, to be levied in ſuch Time and Manner as they ſhall be pleaſed afterwards to appoint; and to be paid into the Hands, and expended by the Direction of ſuch Commiſſioners, as ſhall hereafter be agreed on in this preſent Seſſion of Parliament.' And, by a ſubſequent Reſolution, *Nem. Con.* the ſame Day, it was agreed, 'That theſe *three Subſidies*, *Fifteenths* and *Tenths*, ſhall be paid within the Space of one Year after the King hath declared himſelf *(f)*.'

Remarkable Clauſe, whereby the Treaſurers were to be nominated by Parliament.

Upon the Delivery of this Propoſition to the King, it was agreed to by him; afterwards the Treaties were broke, as hath been mentioned, and the Commons went upon framing a Bill to raiſe the Supply and name Commiſſioners to be the Managers of it: Which being a Thing hitherto unprecedented, and what no crowned Head ever granted before, occaſioned the Diſpute in the Upper Houſe before related.——But to go on with the Lords *Journals*.

May.

(f) Four entire *Subſidies* were alſo granted by the Spirituality. *Statutes at large*, Cap. 33.

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An. 22 James I. 1624.

May 26. The House continued to proceed with the National Business, and to answer private Petitions and Appeals till the Day before this Session was to end; when, after remitting some Fines, imposed by the House on Offenders, and lessening others, the Earl *Marshal*, from the Committee for searching Precedents to sustain the Privileges, &c. of the House, made the following Report;

Resolutions of the Lords as to Matters of Privilege.

'How far the Privileges of the Nobility do clearly extend, concerning the Freedom of their Servants and Followers from Arrests.'

'To all their menial Servants and those of their Family, and all those employed, necessarily and properly, about their Estates as well as their Persons.'

'This Freedom to continue twenty Days, before and after every Session; in which Time the Lords may conveniently go home to their Houses in the most remote Parts of the Kingdom.'

'That all the Lords, after the End of this Session, be very careful in this Point, and remember the Ground of this Privilege; which was, only, in regard they should not be distracted, by the Trouble of their Servants, from attending the serious Affairs of the Kingdom; that therefore they will not pervert that Privilege to the public Injustice of the Kingdom, which was given them, chiefly, that the whole Realm might, in this High Court, draw the clear Light of Justice from them. In which Case, every one ought rather to keep far within, than any way exceed their due Limits.'

'That hereafter, before any Person be sent for in this kind, the Lord whom he serves shall, either by himself or by his Letter, or by some Message, certify the House upon his Honour, that the Person arrested is within the Limits of the Privilege before expressed.'

'And, for the Particulars, they must be left to the Judgment of the House, as the Case shall come in question; wherein the House wants no Means, as well by Oath as without, to find out the true Nature of the Servant's Quality in the Lord's Service. Thereupon, if it be adjudged by the House contra-

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ry to the true Intent, any Member whatsoever must not think it strange, if, in such a Case, both himself suffer Reproof, as the House shall think fit, and his Servant receive no Benefit by the Privilege, but pay the Fees; because the Justice of the Kingdom must be preferred before any personal Respect, and none to be spared that shall offend after so fair a Warning.' An. 21. James I. 1624.

'Ordered to be observed accordingly, with this Alteration, *viz.* This Freedom to begin with the Date of the Writ of Summons, and to continue twenty Days after every Session of Parliament.'

The Earl *Marshal* also reported, That the Lords of the Committee had thought this Order proper concerning Judicature, *viz.*

'The Lords of the High Court of Parliament do hold it fit to consider of some Orders for the Trials of such Persons, as shall hereafter be brought before them, and come to Judicature: But the Session being soon to end, at this Time, their Lordships think it fit to declare now in general, That as this Court is the highest from whence others ought to draw their Light, so they do intend the Proceedings thereof shall be most clear and equal; as well on the one Side, in finding out Offences where there is just Ground, as, on the other Side, in affording all just Means of Defence to such as shall be questioned. For the Particulars, they do at this Time order, That in all Cases of Moment the Defendants shall have Copies of all Depositions, both *pro* & *contra*, after the Publication, a convenient Time before Hearing, to prepare themselves: And also that, if the Defendants shall demand it of the House in due Time, they shall have learned Counsel to assist them in their Defence, whether they be able, by reason of Health, to answer in Person or not, so as they chuse Counsel void of just Exception; and, if such Counsel shall refuse them, they are to be assigned as the Court shall think fit. This their Lordships do, because in all Cases, as well civil, criminal and capital, they hold that all lawful Helps cannot, before just Judges, make one that is guilty avoid Justice; and, on the other Side, according

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An. 12 James I. 1614. to his Majesty's most gracious Speech, *God defend that an innocent Man should be condemned.*'

'Likewise for calling a Member of this House to the Bar, their Lordships held it fit to be very well weighed, at what Time and for what Causes it shall be; and therefore, the Time being now short, Precedents are to be looked out, and this to be considered of at the next Meeting.'

May 29. His Majesty being placed on the Throne; and the Lords in their Robes, the Commons, with their Speaker, Sir *Thomas Crew*, were admitted into the Royal Presence. The Speaker came up with great Reverence and low Obeisance to the King, and, being at the Bar, declared,

The Speaker's Speech to the King at the Close of the Session.

'THat God, to his own great Glory, had 'brought this Session of the Parliament, so 'happily begun, to so happy an End, that both 'Houses, and every particular Member thereof, 'hath given their willing Assent, even with one 'Voice, unto the Advice which his Majesty was 'pleased so low to descend as to demand of them. 'As there was not a Hammer heard in the build-'ing of the House of God, so, in this great Busi-'ness, there was not a negative Voice, nor any 'Jarring amongst them; but their Time was 'wholly spent in the Business of Parliament, in 'which they had prepared many Bills profitable for 'the Common-Wealth, and shewed the several 'Natures of those Bills; some for the Service of 'God, and Restraint of Recusants; some to re-'dress the Enormities of the Common-Wealth; 'others of his Majesty's Grace and Bounty to his 'People; and some concerning the Prince's High-'ness touching his own Lands; and others to settle 'Strife in particular Estates: All which do wait for 'and humbly desire his Majesty's Royal Assent.

'He shewed also what great Joy they all receiv-'ved for the Dissolution of the two Treaties with 'Spain; and that Commissioners are required to 'see the Edicts performed against Recusants and 'Jesuits,

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'Jesuits, the Locusts of *Rome*, wherein will consist his Majesty's chiefest Safety. And they do render him humble Thanks for their ancient Priviledges, which they fully enjoyed this Parliament, [*and, in particular, for their Freedom from Arrests*] (*g*) and their so often Access unto his Majesty's Presence; and more especially for his Majesty's general, large, liberal, and free Pardon, shewing the Benefit thereof, and reciting the Particulars. He also presented the Bill of three entire *Subsidies*, and three *Fifteenths* and *Tenths* granted this Session; and declared the Chearfulness of the Grant thereof. And, making his earnest Prayers unto Almighty God, to direct his Majesty's Heart to make his own Sword his Sheriff to put his Son-in-Law in Possession of the *Palatinate*, the antient Inheritance of his Royal Grand-Children, he ended; humbly craving Pardon for himself and his own Errors committed this Session.' An. 22 James I. 1624.

To which the King gave the following Answer (*b*):

Mr. Speaker, and you the Gentlemen of the Lower House,

His Majesty's Answer.

I Will begin with the End of Mr. Speaker's Speech, which was a Presentation of the Subsidies, *and the Thanks he gave me for allowing you your Priviledges and Liberties, together with the free Pardon of his own Weakness.*

The Subsidies are granted to my Grand-Children, whose Case, I must confess, is somewhat desperate: I pray God I may see that good End thereof that I wish, for I know not how it may please God to dispose of those Things, whether peaceably, or by Force, it may please him

(*g*) This is omitted in *Rushworth*, but supplied from the Lords *Journals*.

(*b*) This Speech is most miserably curtail'd in *Rushworth*; nor is it entered at all in the *Journals*, or elsewhere in the printed Historians. We have recovered it from an old Manuscript Collection of Parliamentary Proceedings, in this and the next Reign, communicated by Sir *John Napier*, of *Bedfordshire*, Bart.

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An. 22 Jacobi I. 1624. *him to repay unto me the Wrong done unto them. But, as I said at first, so I pray again, I desire not to live; nay, I wish to God never to have been born, rather than such a Blot should lie on me, as not hope to see a Restoration of the* Palatinate, *or at least a Possibility of it, before God close up mine Eyes. And I have sworn, that all you have allowed for the Business, shall only and wholly be employed for that End; and, as God shall judge my Soul, I never had any other Meaning, if I had not been bound and limited thereunto. But as, on the other Side, I assure myself, that, as yourselves will confess, here is nothing given for the Relief of my Estate, which all Parliaments were wont to consider of; especially one that has lived in that Necessity, and has had less Supply from any People, than any of my Predecessors, I know not how many hundred Times before: So I assure you, on the other Side, you shall have a new Session in the Beginning of next Winter, that then you may meet together, and consider how to supply my particular Wants; and if you will be careful in this, as I assure myself you will, I will only employ it to the Advancement of such Government among you, as shall become a King, and to the Increase more and more of the Service of God, and restoring the Patrimony of my Children.*

For the other Point, I have Reason, and truly, without Compliment I do it, to thank you for my own Person, and your particular Behaviour to me at this Time; concerning which I must needs say, that in all this Session, neither in any Days was it heard of; and, I think it is without Example, that ever Lower House sat with that continual Obedience to my Person and Honour; for, in all your Actions, you have given more true Demonstrations hereof, than ever was given heretofore by Lower House: And for Matter of Scandal, it was no sooner moved among you, but it was dashed; avoiding all Occasions that might be a Blot of Offence between me and my People; for which, as I said before, so now again, I thank you, without further Compliment; and if it shall please you, when you shall return, to go on this Way, this Parliament shall

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shall be crown'd with the greatest Happiness that ever was held by a King. An. 22 James I. 1624.

But I must admonish you of some few Things, and that I pray you take in good Part. And that as touching Grievances, Mr. Sollicitor made mention of some Yesterday, when I was present, as I said to some of you; so now speak I to all of you, that you be not too ready to hunt out Grievances, where there is no Cause; for I must say this, and say truly, that I never saw Parliament that had lesser and smaller Matter of Grievances than you have had; I find most of them to be slight ones, which indeed makes my Heart jovial.

Now, as concerning your Grievances, be careful to present such as shall be general touching the Common-Wealth, Trading, and Corporations; and as it lies not in your Power to raise and create Grievances, but upon just Cause; so again you ought not to conclude or determine any remedy, without first letting me have the Hearing and Allowing of it. I will go thro' all your Grievances, and weigh them fully; and, when I have done, you shall have a clear Answer to them, such a one as shall be agreeing to Justice, and convenient to meet with the present Necessities of my People.

No Courtier's particular Good shall be preferred to the Subjects Requests in general; and herein I will not take Advice of myself, but I will canvass the Business with the Help of my Privy Council, and the Judges Counsel of the Law. But now, amongst other Grievances, I must tell you some of my Grievances: One is concerning the Manner and Form of Buildings here in London; *you have made a Grievance of it, and I am justly grieved at it; for, I protest to God, it hath been my only Aim ever since I came into* England, *to make the City of* London, *the Metropolis, the Mother City of* England; *that I may say with the Emperor, I had it* stramineum, *but I leave it* marmoreum. *I care not for the Grudges of many particular Men, that are in very deed a Shame to this Kingdom. I marvel much you should condemn the Commission, without hearing the Commissioners: If they be too strict in their Points, I pray you complain to me, and I will redress it, and give you Ease. God*

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An. 22 James I. 1624. *knows I have no other End therein, but the Welfare and Honour of the Kingdom.*

Another Cauſe of Grievance is concerning Dr. Anion, *Maſter of* Corpus Chriſti *College in* Oxford, *whom you have called in queſtion touching Church Matters: You had all of you, at the Beginning of this Parliament, taken the Oaths of Allegiance and Supremacy, whereby you have acknowledged me Supreme Head in Eccleſiaſtical Matters. I have referred that Matter to the Biſhop of* Winchester, *who is Viſitor of that College, upon whoſe Learning, Gravity, and Piety, I will rely in this Caſe.*

Another Grievance of mine is, that you have condemned the Patents of the Apothecaries in London. *I myſelf did deviſe that Corporation, and do allow it. The Grocers, who complain of it, are but Merchants; the Myſtery of theſe Apothecaries were belonging to Apothecaries, wherein the Grocers are unſkilful; and therefore I think it fitting they ſhould be a Corporation of themſelves. They bring home rotten Wares from the* Indies, Perſia, *and* Greece; *and here, with their Mixtures, make Waters, and ſell ſuch as belong to Apothecaries, and think no Man muſt controul them, becauſe they are not Apothecaries.*

Another Grievance is concerning Books ſeditious and heretical. It is a Shame that England *ſhould be the only Place in the World to honour ſuch Books, both* Popiſh *on the one Side, and* Puritan *on the other: But, for this, I will provide there ſhall be ſuch Overſeers, that may prevent their coming into Print, and thoſe that are in Print already, to ſuppreſs them. No Man ſhall be more deſirous to fulfil your Deſire in this Point than I will.*

And laſtly, touching my Patents in general, I am grieved that you have called them in, and condemned them upon ſo ſhort Examination. I confeſs I might have paſſed ſome upon falſe Suggeſtion and wrong Information; but you are not to recall them before they be examined by the Judges. And here I have heard it complained of by divers of my learned Counſel in the Law, that you will, from Time to Time, delaying

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the Patentees, ſtill call for Patents without juſt Ground; and ſo put the Subjects ſtill to more Charge, and ſo conſequently put a Scorn upon my Patents. An. 22 James I. 1624.

Therefore I adviſe you to be careful, that you have a good Ground before your call for your Patents, that you do not defraud the Patentees; hereupon falls out that which I ſpake to the Face of many here preſent. The Lawyers, of all the People of the Land, are the greateſt Grievance to my Subjects; for when the Caſe is good for neither Party, yet it proves good and beneficial to them: *Therefore this I ſay to you, when you judge of Patents, hear patiently, ſay not preſently 'tis againſt the Law, for Patents are not to be judged unlawful by you.*

I muſt firſt believe myſelf and my Council, and then you are to give your Opinions of the Conveniences that may enſue thereupon. And now I pray you take in good Part my Thanks and Admonitions both; and I aſſure myſelf you will take my fatherly Admonitions, as well as my Thanks, in good Part, as you ought to do from a King, who ever was, and ſtill will be, the Father of your Country.

Then the Lord Keeper ſpake to the Particulars of the Speaker's Speech, and, by his Majeſty's Command, appointed them all, alluding the general Conſent of both Houſes [*in their Advice to his Majeſty*] to the *Septuagint*, directed by the Holy Ghoſt; and, touching the Speaker's Deſire for the King's Aſſent to the Bills paſt both Houſes, he ſaid, the Royal Aſſent is proper to the Lawgiver; and ſhewed, that it is beſt for the People that this is in his Majeſty's Power, and not in themſelves; for the King knoweth what is beſt to be granted unto his People, as may appear by the Petition that *Bathſheba* made to King *Solomon*, to give unto *Adonijah Abiſhag* to Wife; which had *Solomon* granted, he had given *Adonijah* Means to uſurp the Kingdom, contrary to *Bathſheba's* Meaning; and ſuch is his Majeſty's Intent this Day, for ſuch Bills which he will not paſs. That his Majeſty hath given his Conſent to all the Bills of Grace, and to the Bill And the Lord Keeper's.

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An. 22 James I. 1624. of the Continuance of ſome Statutes, and Repeal of others, ſo neceſſary for the Good of the People. That his Majeſty accepteth in good part their Thanks for his general Pardon, which he hath ſo freely granted unto his Subjects: But his eſpecial Command is, That thoſe that are in Office do ſtrictly look to the Execution of the Laws againſt Recuſants. The Subſidies his Majeſty graciouſly accepteth, and therefore imitates not the Story in *Macrobius*, of one who had all his Debts paid, and inſtead of Thanks, anſwered, *nihi nihil*: Tho' this be given to the *Palatinate*, his Majeſty interpreteth it as given to himſelf, and rendreth to you all hearty Thanks for the ſame. [*As for your own Requeſt, Mr. Speaker, his Majeſty holds it impertinent; there needs no Pardon where no Error is committed.*]

'The Lord Keeper having ended his Speech, the Clerk of the Crown ſtood up and read the Titles of the Bills paſſed both Houſes; and the Clerk of the Parliament read his Majeſty's Anſwer to each Bill, which being done, his Majeſty remembred the breaking up of three [*former*] Parliaments together, and the happy Concluſion of this Seſſion; and put the Commons again in mind, that at their next Meeting they do ſo carry themſelves, that this Parliament may be as happily continued to the End.'

The Parliament prorogued.

After all which was concluded, the Lord Keeper of the Great Seal, by his Majeſty's Command, prorogued this preſent Parliament to the 2d Day of *November* next enſuing. At which Time it was again prorogued, by Commiſſion, to the 16th Day of *February* following (*i*); from thence to the 15th of *March*; and, laſtly, to the 20th Day of *April*, which was in the Year 1625 (*k*). Before which

(*i*, *k*) There is a Proclamation printed in *Rymer's Public Acts*, *Tom.* XVII. p. 625. for proroguing the Parliament from the 2d Day of *November* to the 16th Day of *February* next coming. The Reaſon given there for it was, on account of a general Sickneſs then reigning, which proved mortal to many and was very infectious; particularly in the Cities of *London* and *Weſtminſter*. The ſecond Proclamation for proroguing to the 15th of *March* is alſo at p. 648. but without any Reaſon being aſſigned for it.

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which last Date, *viz.* on the 27th of *March*, in the same Year, King *James* died; by whose Death this Parliament was finally dissolved. An. 23 James I. 1625.

Besides the long Affair of the *Spanish* Match, the Business of the *Palatinate*, the Trial of the Lord Treasurer, *&c.* which took up much Time; such a Number of public and private Acts were made and passed in this Parliament, as scarce ever was done by any before. The printed Statutes only mention 35, *Rushworth*, together, makes them 73; but, in a Catalogue of the Acts, at the End of the Lords *Journals*, for this Reign, are the Titles of 118. This may be some way accounted for, because no Acts at all were passed in the last Parliament; that Business being put a Stop to by its sudden Dissolution; so that this took up what the other had left unfinished; and, both together, made their Number grow to so great a Height. The Death of the King.

There is no Necessity to enter into the Particulars of any of these Acts, the most material of them being already printed: except the last Bill of *Subsidies*, which, by the King's extraordinary Concessions, was made so difficult as to puzzle both the Houses in drawing it up and carrying it through the usual Forms. Never any King and Queen of *England*, before, did give Leave for the Parliament to name and appoint their own Treasurers and Commissioners for disbursing the Money to be raised by a Grant. By what we find in the foregoing Proceedings, this Supply was also designed to go for the Recovery of the *Palatinate*; and the King's voluntary Offer of putting it out of his own Power to touch a Penny of it, evidently shews that he did not slight his own Descendants, so much as some Authors have, very ungenerously and unnaturally, represented.

Upon the whole, we shall enter no farther into the Character of this King; but leave it to be determined by every Reader's Judgment, on the different Transactions, throughout his whole Reign, between him and his Parliaments. The Republican Party, which grew to such a Height in the

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An. 22 James I. 1625. next Reign, have ſpared no Pains to blacken him, and will not allow him any one good Action in Government. Some of their Authors making him no better than a dreaming Pedant: Whilſt, by thoſe of another Stamp, he is cried up for an *Engliſh Solomon*.——Perhaps, *Medio tutiſſimus ibis*.

CHARLES

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CHARLES the First.

WE now enter upon a Reign which proved very unfortunate both to Prince and People; the former loſt his Life, and the latter had their Liberties taken from them, by a Sett of Men, whoſe firſt Pretences in taking up Arms were to defend both. The Diſquiſition of which Matters, as it has been great Labour, in the Collectors, to compile, ſo will it require no leſs Patience in the Readers to peruſe and digeſt. The Inſtruments of State, Meſſages, Declarations, and Speeches, for and againſt the Prerogative of the Crown, being, many of them, long and tedious; and yet will allow of no Abridgement in a Work of this Nature.

The Acceſſion of Charles I.

King *Charles* I. like his Father, began his Reign, in *England*, at a very unhappy Period. A dreadful Plague having been ſome Time, and was then raging in *London* and *Weſtminſter*, and Parts adjacent, which ſwept off many Thouſands of People. But this did not hinder the Match with *France*, from going forward; *May* 1. the Marriage was celebrated, by Proxy, at *Paris*; and *June* 11. the new Queen landed at *Dover*; the next Day the King met her at *Canterbury*, where the Nuptials were compleated.

His Marriage with a Daughter of France.

Before this laſt Affair happened, a Parliament had been ſummoned to meet at *Weſtminſter*, on the 7th Day of *May* (*a*), by Writs bearing Date, from the ſame Place, *April* 2. but was further prorogued to the 31ſt of the ſaid Month. From that Time it was again prorogued to the 13th of *June*, and from thence to the 18th, which Prorogations, we ſuppoſe, were on account of the Queen's Landing, and the Ceremonies in conſequence of it. But *June* 18th, the King being ſeated on the Throne, the

A Parliament Anno Regni, 1. 1625. At Weſtminſter.

(*a*) *Lords Journals.*

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An. 1 Charles I. 1625. the Lords in their Robes, and the Commons attending, his Majeſty ſpoke as follows:

My Lords Spiritual and Temporal, and you Gentlemen of the Houſe of Commons, in this Parliament aſſembled,

The King's Speech at opening the Seſſion.

I May thank God, that the Buſineſs to be treated on at this Time is of ſuch a Nature, that it needs no Eloquence to ſet it forth; for I am neither able to do it, nor doth it ſtand with my Nature to ſpend much Time in Words. It is no new Buſineſs, being already happily begun by my Father of bleſſed Memory, who is with God; therefore it needeth no Narrative: I hope in God you will go on to maintain it, as freely as you adviſed my Father to do it. It is true, he may ſeem to ſome to have been ſlack to begin ſo juſt and ſo glorious a Work; but it was his Wiſdom that made him loth to begin a Work, until he might find a Means to maintain it: But after that he ſaw how much he was abuſed in the Confidence he had with other States, and was confirmed by your Advice to run the Courſe we are in, with your Engagement to maintain it, I need not preſs to prove how willingly he took your Advice; for, the Preparations that are made, are better able to declare it, than I to ſpeak it. The Aſſiſtance of thoſe in Germany, *the Fleet that is ready for Action, with the reſt of the Preparations, which I have only followed my Father in, do ſufficiently prove, that he entred,* [not ſuperficially, but really and heartily], *into this Action.*

My Lords and Gentlemen, I hope that you do remember, that you were pleaſed to employ me to adviſe my Father, to break off thoſe two Treaties that were on foot; ſo that I cannot ſay, that I came hither a free unengaged Man. It is true, I came into this Buſineſs willingly and freely, like a young Man, and conſequently raſhly; but it was by your Intereſt, your Engagement: So that though it were done like a young Man, yet I cannot repent me of it, and I think none can blame me for it, knowing the Love and Fidelity you have [ever] *borne to your Kings; having*

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having myself, likewise, some little Experience of your Affections. I pray you remember, that this being my first Action, and begun by your Advice and Intreaty, what a great Dishonour it were [both] to you and me, if this Action, so begun, should fail of the Assistance you are able to give me. Yet knowing the Constancy of your Love both to me and this Business, I needed not to have said this, but only to shew what Care and Sense I have of your Honours and mine own. I must intreat you likewise to consider of the Times we are in, how that I must adventure your Lives (which I should be loth to do) should I continue you here long; and you must venture the Business, if you be slow in your Resolutions. Wherefore I hope you will take such grave [and wise] Counsel, as you will expedite what you have in-hand to do: Which will do me and yourselves an infinite deal of Honour; you, in shewing your Love to me; and me, that I may perfect that Work which my Father hath so happily begun.

Last of all, because some malicious Men may, and, as I hear, have given out, that I am not so true a Keeper and Maintainer of the true Religion that I profess; I assure you, that I may with St. Paul say, that I have been train'd up at Gamaliel's Feet: And although I shall never be so arrogant as to assume unto myself the rest, I shall so far shew the End of it, that all the World may see, that no Man hath been, nor ever shall be more desirous to maintain the Religion I profess, than I shall be.

Now because I am unfit for much speaking, I mean to bring up the Fashion of my Predecessors, to have my Lord Keeper speak for me in most Things: Therefore I have commanded him to speak something unto you at this Time, which is more for Formality, than any great Matter he hath to say unto you.

An. 1 Charles I. 1625.

Then the Lord Keeper, *Williams*, (*b*) added, 'That 'the King's main Reason of calling the Parliament, 'besides

And the Lord Keeper's.

(*b*) According to *Rushworth* and *Franklyn*, the Lord Keeper, at this Time, was Sir *Thomas Coventry*. But Mr. *Philips*, in his Life of Bishop *William*, says, that his Lordship yet continued Lord Keeper; which is confirm'd by the *Chronica Juridicalia*, where we find that Sir *Thomas Coventry* was not appointed to that Office till the 2d of *November* 1625.

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'beſides the beholding of his Subjects Faces, was 'to mind them of the great Engagements for the 'Recovery of the *Palatinate*, impoſed on his Ma'jeſty by the late King his Father, and by them'ſelves, who brake off the two Treaties with '*Spain*. Alſo to let them underſtand, That the 'ſucceeding Treaties and Alliances, the Armies 'ſent into the *Low-Countries*, the Repairing of the 'Forts, and the Fortifying of *Ireland*, do all meet 'in one Centre, the *Palatinate*; and that the 'Subſidies granted in the laſt Parliament, are here'in already ſpent, whereof the Account is ready, 'together with as much more of the King's own 'Revenue. His Lordſhip further commended 'three Circumſtances:

'*Firſt*, The *Time*; all *Europe* being at this Day 'as the Pool of *Bethesda*, the firſt ſtirring of the 'Waters muſt be laid hold on: Wherefore his Ma'jeſty deſires them to beſtow this [*firſt*] Meeting 'on him, or rather on their Actions; and the 'next ſhall be theirs, as ſoon, and as long as they 'pleaſe, for Domeſtic Buſineſs.

'*Secondly*, The *Supply*; if Subſidies be thought 'too long and backward, his Majeſty deſires to 'hear, and not to propound the Way.

'*Thirdly*, The *Iſſue* of *Action*; which being the 'firſt, doth highly concern his Majeſty's Honour 'and Reputation, for which he relies upon their 'Loves, with the greateſt Confidence that ever 'King had in his Subjects; witneſs his Royal 'Poſey, *Amor Civium Regis Munimentum*: And 'he doubts not, but as ſoon as he ſhall be known 'in *Europe* to be their King, ſo ſoon ſhall they be 'known to be a loving and loyal Nation to him."

Sir Thomas Crew, choſen Speaker.

The *Journals* of the Lords here aſſiſt us to fill up a Vacancy, in thoſe of the other Houſe and in *Ruſhworth*; and that is an Abſtract of the Speaker's Oration, on his being preſented to the King for Approbation, and the Lord Keeper's Anſwer to it. The former Authorities tell us, That, on *June* the 20th, the Commons preſented Sir *Thomas Crew*, Kt. Serjeant

Sergeant at Law, for their Speaker; who made his formal Excuse; but being confirm'd in his Office, he addreſſed himſelf to the Throne in Words to this Effect: An. 1 Charles I. 1625.

His Oration to the Throne.

'He firſt proteſted that he undertook the Office of Speaker, in Obedience, only, to his Majeſty; he remembred the Proceedings in the laſt moſt happy Parliament, in which he pleaſed the late King, of famous Memory, to aſk the Advice of his People; and expreſſed their Joy that God, who hath the Power of the Hearts of Kings, directed his Majeſty, that now is, to proceed in the like Parliamentary Courſe. That, as a Woman forgets her Sorrow at the Birth of a Man-Child, ſo they, when his Majeſty was placed on his Father's Throne, had their Hopes, that as good King *Hezekiah* was five and twenty Years of Age, when he began to reign, and having a wiſe and great Council, at his firſt Entrance, ſhewed his Zeal to God and his Care for Religion; ſo his Majeſty being of the ſame Age, and having a faithful People to adviſe him, will maintain true Religion and the antient Laws, ſo much eſteemed in all Ages. In this, he ſaid, their Hopes were the greater, for that his Majeſty begins with a Parliament, and remembers his Father's Charge to maintain our Religion. That it was God's merciful Power to bring his Majeſty back out of Danger when he was in a ſtrange Land. He expreſſed their Sorrow for his then Abſence, and exceeding great Joy at his ſafe Return; and humbly beſought his Majeſty, That now God had put the Sword into his Hand, he would extend it for the Recovery of the *Palatinate*, ſo diſhonourably gotten, and kept by hoſtile Arms; which was antiently a Refuge for Religion; and not to ſuffer thoſe Locuſts the *Jeſuits* to eat up the good Things of this Land. He acknowledged his Majeſty's Stem to be lineally deſcended from *Lucius*, the firſt *Britiſh* King that embraced the Goſpel; and concluded with the accuſtomed Petitions for Freedom from Arreſts, *eundo, ſedendo, et redeundo* during this Parliament; for Freedom

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of Speech in their Consultations; not doubting but to confine themselves within the Limits of Duty and Modesty; Access to his Majesty on all needful Occasions; and a benign Interpretation of all their Actions, and of this his Speech in particular.'

The Lord Keeper's Answer.

The Lord Keeper, having first had Conference with the King, answered to this Effect: 'That his Majesty had amply accepted the Speaker's Obedience, tho' he refused his Sacrifice. That he remembred the last Parliament to be happy; as it was so accounted by the late King, so esteemed by his Majesty, and so it proved by the Event, in which the two Treaties with *Spain* were dissolved, and so many gracious Laws enacted. It became the late King so to close his Government; in which Parliament, our present King being a principal Actor, he can never forget the Desires of the Commons nor the Wishes of the Lords.'

'That his Majesty takes in good Part Mr. Speaker's Observation of the five Circumstances of his Entrance to the Crown; as that he began with a Parliament; that he came to us with Noble Blood, being lineally descended from the antient *British* Kings; that his Succession sweetned the Loss of his glorious Father; that God was with him in a strange Land, and delivered him from thence; even as God was with *Moses*, so be he always with his Majesty, to which let all say *Amen*. And, lastly, that his Majesty professes the true Religion, it being the last Blessing his Father gave him to have a special Care thereof. As Mr. Speaker recommends to his Majesty the Laws of the Land; so he, also, recommends the same to the Lawyers; that they study the antient Laws, themselves, and not the Abridgements. And whereas you represent to his Majesty that unjust Acquisition of the *Palatinate*, the Dishonour of our Nation, no Man can but be sensible of his Majesty's Care for the Recovery thereof; he having given a lively Representation of his Affection to it, himself, the other Day in this Place. He now hopes that ye who first drew him

him into this Action will give him such Supplies as will enable him to perform it.' An. 1 Charles I. 1625.

'And, as touching the Banishment of those Locusts the Priests and Jesuits, his Majesty commends that Saying of St. *Ambrose*, *That the poorest Man hath Interest in Religion.* Yet, he desires you to trust him with the Manner thereof, and he will be careful to give you good Satisfaction of his Zeal therein. Lastly, as touching Mr. Speaker's Petitions for your Privileges, his Majesty grants them all without any Limitation; knowing well that yourselves will punish the Abuses thereof.'

The first Business done, in the House of Commons, was to appoint a solemn Fast amongst themselves (*c*). It had been the Custom in several late Parliaments to begin in the same Manner, but now it was, more particularly, urged, on account of the general Plague which was round them. The next Day, *June* 22d, a Committee of Privileges and Elections being appointed, Sir *Benjamin Rudyard* got up and spoke to this Effect: 'That the late Distastes taken between the late King and his Parliaments, were the chief Cause of all the Miseries of the Kingdom. The first Turn of which, towards a Reconciliation, was given by the now King, then Prince; by which accrued more Benefit to the Subject, than in any Parliament these many hundred Years. What may we then expect from him, being King, and having Power in his own Hands? His good natural Disposition; his Freedom from Vice; his Travels abroad; his being *bred in Parliaments* (*d*), promised greatly. Therefore, he moved to take such Course now to sweeten all Things between King and People, that they may never after disagree.'

The Commons appointed a Fast amongst themselves.

Motion for a good Harmony between King and Parliament.

Sir *Edward Coke* moved, 'That there might be no Committees for Grievances or Courts of Justice; first, in respect of the Plague; next, because this was

(*c*) In the Year 1581. *An.* 23. *Eliz.* the Commons having appointed a Fast, by their own Authority, the Queen highly resented it as an Intrusion upon her Authority Ecclesiastical. See Vol. IV. p. 536.

(*d*) It appears by the *Lords Journals*, in the last Reign, that the Prince of *Wales* daily attended the Service of the House.

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was the very Beginning of the new King's Reign, in which there can be no Grievances as yet; thirdly, becauſe the Petition againſt Grievances, in the laſt Parliament of the late King, was preferred too late; only to petition for an Anſwer to theſe. For, adds he, though the Prince is gone the King liveth; no *Interregnum*.'

The reſt of this Day's Debates turned, chiefly, on raiſing a Supply, and the only Topic of putting the Laws in Execution againſt *Jeſuits*, *Popiſh Prieſts*, &c. The Sollicitor General acquainted the Houſe, 'That the King had taken Care of their Grievances preferred the laſt Parliament; and, at any one Day the Houſe would aſſign, Satisfaction would be given them therein.'

The Plague ſtill raging more and more, in and about *London*, made the Members of both Houſes very uneaſy in their Situation at *Weſtminſter*; ſome of them taking Notice, that the Bell was tolling every Minute, whilſt they were ſpeaking. At the Petition of both Houſes, the King proclaimed a general Faſt, all over the Kingdom, on a certain Day; and his Majeſty in Perſon, went with the two Houſes to Prayers and Sermon, at St. *Margaret's* Church in *Weſtminſter*.

July 4. Sir *Edward Coke* reported the King's Anſwer to the Commons Petition, about a Receſs from Parliament, at this ſickly Seaſon: 'That the King had taken their Safety, which he valued more than his own, into Conſideration; and when he ſhould hear the Commons were ready with their Bills, for he would not haſten them in any thing, he would put an End to this Seſſion.'

The Lords reject the Bill of Tonnage, becauſe granted for one Year only.

The next Day, the Bill for granting two entire *Subſidies*, paſſed the Commons; *Tonnage* and *Poundage* was, alſo, given; but, becauſe it was limited for one Year, whereas, former Grants to his Majeſty's Predeceſſors were for Life, the Houſe of Lords would not paſs it. It was alſo declared, 'That the Intention and Reſolution of the Houſe was, as in the Act of *Subſidy*, 21 *Jac.* that all Charges mentioned there, are to be deducted out

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of the *Subsidies* and *Fifteenths*, and to be paid according to that Act.' An. 1 Charles I. 1625.

July 7. An Affair came on in the House of Commons, which must make a great Noise at that Time. A Complaint had been made there against one Dr. *Montagu*, for printing and publishing a Book, called *An Appeal to* Cæsar. The Recorder of *London*, one of the Committee appointed to examine into this Matter, made a Report, 'That the Archbishop of *Canterbury* had censured the said Dr. *Montagu* for a former Book *(f)*, and had told him, that tho' there were some Things in it which might receive a favourable Interpretation; yet there were others in it not of that Nature. In which the Committee all agreed, That the Archbishop had done what was fitting: But they were of Opinion, That there were many Things contained in the Doctor's Books directly contrary to the Articles of Religion established by Parliament; as that the Church of *Rome* was *vera Christi Ecclesia*, & *Sponsa Christi*; and that the said Church *eadem Fundamenta Doctrinæ & Sacramentorum nititur*: That the Committee held this second Book as factious and seditious, tending manifestly to the Dishonour of the late King, and the Disturbance of both Church and State. For the first, he denies that *Arminius* was the first that infected *Leyden* with Errors and Schisms: That the Synod of *Dort*, so honoured by the late King, was slighted by him; calls it *forinsecus*, and partial; he knows not what Ends they had, nor cares for them: He directs his Book to the present King, and calls it *Appello Cæsarem*, and yet says the *Pope* is not *Antichristus*; which is contrary to what the late King himself had wrote to all *Christian* Princes. The Committee think that there is enough in this Book to put a Jealousy between the King and his well-affected Subjects. Says there are some amongst us that desire an *Anarchy*, and means the *Puritans*, whom yet he hath not defined. He plainly intimates

Complaint against Dr. Montagu.

(f) The first Book was called, *A new Gag for an o'd Goose*, in Answer to a *Popish* Book, called, *A Gag, for the new Gospel*. Rushworth.

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The King interpoſes in his Favour.

Upon the Queſtion, it was reſolved, That, at their next Meeting, the Lords ſhould be acquainted with theſe Books, and a Conference to be prayed with their Lordſhips about them: Likewiſe for a Touch as it is termed, to commit him to the Cuſtody of the Sergeant at Arms, to anſwer his Contempt in the next Seſſion. But the King ſending a Meſſage to the Houſe, that Dr. *Montagu*, being his Servant and Chaplain in Ordinary, he had taken the Cauſe into his own Hand; wiſhed they would enlarge him, and that he would take Care to give the Houſe Satisfaction in it; the Doctor, upon giving in Bail of 2000*l*, was diſcharged out of Cuſtody.

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This was the moſt material Buſineſs the Commons went upon, in the firſt Seſſion of this Parliament: Nor was there any Thing done, worth Notice, by the Lords, except the Introduction into that Houſe of *John* Earl of *Clare*, *Oliver* Earl of *Bolingbroke*, *Francis* Earl of *Weſtmoreland*, *William* Lord Viſcount *Say and Seale*, *James* Lord *Ley*, Lord High Treaſurer of *England* (g) and *Edward* Lord *Conway*, Secretary of State. They alſo joined in a Petition to the King with the Commons, about Matters of Religion: To which his Majeſty anſwered, 'That he was very glad to find the Parliament ſo forward in Religion; and aſſured them 'that they ſhould find him equally ſo: But that 'their Petition being long, the Anſwer to it muſt 'be deferred to another Opportunity.' An. 1 Charles 1625.

His Majeſty's Anſwer to the Petition concerning Religion.

July the 11th, the Day that both the Houſes deſired a Receſs, on account of the Contagion, after a Motion to that Purpoſe, the Commons ordered, 'That their Houſe ſhould be called over the third Day of the next Meeting, and thoſe Members that were abſent ſhould incur the Cenſure of the Houſe.' Afterwards, being informed by the Lords, that a Commiſſion was come to them to paſs the Bills, and adjourn the Houſes, the Speaker went up with the reſt; and, upon preſenting the *Subſidy* Bill, which, he ſaid, was the firſt Fruits of their Love, the Lord *Conway*, Secretary of State, ſpoke to this Purpoſe; 'He ſignified the King's gracious Acceptance of the Bill of two *Subſidies*; yet, that the Neceſſity of the preſent Affairs were not therewith ſatisfied, but required their further Counſels. He reminded them that the late King was provoked beyond his Nature, to undertake a War for the Recovery of his Children's ancient Patrimony; that the Charges of this War appeared, by Computation, to amount unto 700,000*l.* a Year; to ſupport the *Netherlands*, and to prevent the Emperor's Deſigns of concluding with the Princes of *Germany*, utterly to exclude the *Palſgrave*, he levied an Army under Count *Mansfield*; the Kings of *Denmark*

Lord Conway repreſents the State of foreign Affairs.

(g) Sometime before Lord Chief Juſtice of the King's Bench.

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mark and *Sweden*, and the Princes of *Germany*, levied another; *France*, *Savoy*, and *Venice*, joined together for a War of Diverſion; and, laſtly, to uphold the *Netherlands*, the Charges of *Mansfield's* and the *Daniſh* Army muſt yet continue.'

The Lord Keeper then told the Houſes, 'That his Majeſty had received their Petition about Religion, and had anſwered it, in ſome Meaſure, before; but now he had done it to the full;' which Petition and Anſwer will appear in the Sequel. Afterwards the two Houſes adjourned (the Lords according to the King's Commiſſion, but the Commons of themſelves) to the firſt of *Auguſt* next, at *Oxford*.

The Parliament adjourned to Oxford on account of the Plague.

The Contagion ſtill raging very ſore, the Receipt of the King's Exchequer was removed to *Richmond*; and all the Fairs, within 50 Miles of *London*, were prohibited, to prevent a more general Infection. During this ſhort Receſs an Affair happened, which occaſioned much Diſguſt againſt the Prime Miniſter, the Duke of *Buckingham*. This Nobleman loſt no Ground in loſing his old Maſter, King *James*; for, if poſſible, he was a greater Favourite with the Son and Succeſſor, than ever he had been with the Father: His Popularity, however, had begun to fall off ſome Time; and all the Reputation he had gained, in his Recital of his Conduct in *Spain*, as mentioned in the laſt Reign, was blaſted by ſome Suſpicions that were entertained of that Affair, and his Miſmanagement of the Adminiſtration ever ſince.

The religious War in *France* was now very warm; the Town of *Rochell* was in the Hands of the Proteſtants, and the *French* King preparing to beſiege it by Sea and Land, ſome Ships of the Navy Royal of *England*, with their Complements of Men, were lent to the *French* for that Purpoſe: But their Crews abſolutely refuſed to fight againſt People of their own Religion; and a Tumult began amongſt them, in which they got up their Anchors and ſet Sail for *England*, ſaying, They would rather be hang'd at home, than be Slaves to the *French*, and do Hurt to their Brethren. The Duke ordered Admiral

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Admiral *Pennington* to go back with the Fleet, which he did; but ſtill all the Companies declined the Service, and actually left their Ships before they would ſubmit to ſuch Orders. This Affair happening in the Interval of the Receſs of Parliament, gave the Duke's Enemies greater Scope to execute their Deſigns againſt him. An. 1 Charles I. 1625.

On the firſt of *Auguſt* the Parliament met at *Oxford*; and on the fourth, the Lords and Commons were commanded to attend the King, in the Great Hall at *Chriſt-Church*; where he ſpake to them as followeth:

My Lords, and you of the Commons,

WE all remember, that from your Deſires and Advice, my Father, now with God, brake off thoſe two Treaties with Spain *that were then in hand: Well you then foreſaw, that, as well for regaining my diſpoſſeſſed Brother's Inheritance, as home Defence, a War was likely to ſucceed; and that as your Counſels had led my Father into it, ſo your Aſſiſtance, in a Parliamentary Way, to purſue it, ſhould not be wanting. That Aid you gave him by Advice, was for Succour of his Allies, the guarding of* Ireland *and the home Part, Supply of Munition, preparing and ſetting forth of his Navy. A Council you thought of, and appointed for the War, and Treaſurers for iſſuing of the Monies: And, to begin this Work of your Advice, you gave* Three Subſidies, Fifteenths, *and* Tenths; *which, with Speed, were levied, and, by Direction of that Council of War, (in which the Preparation of this Navy was not the leaſt) diſburſed.* The King's Speech to them.

It pleaſed God, at the Entrance of this Preparation, (by your Advice begun) to call my Father to his Mercy, whereby I entered as well to the Care of your Deſign, as his Crown. I did not then, as Princes do, of Cuſtom and Formality re-aſſemble you, but that, by your further Advice and Aid, I might be able to proceed in that which, by your Counſel, my Father was engaged in. Your Love to me, and Forwardneſs to further thoſe Affairs, you expreſſed by a Grant of Two Subſidies, *yet ungathered; altho' I muſt aſ-*

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An. 1 Charles I. 1625. *ſure you, by myſelf and others, upon Credit taken up, and aforehand diſburſed; but all far too ſhort, as yet, to ſet forth the Navy now preparing*; [as I have lately found by Eſtimate of thoſe of Care and Skill employed about it. Before you could be acquainted fully with theſe Neceſſities of further Aid, it pleaſed God to viſit the Place of your Aſſembly then with a grievous Plague. To ſtay you in that Danger had been a Neglect of my juſt Care, and to prorogue the Parliament had been to deſtroy the Enterprize: I therefore adjourned you to this Place: a Place then free from that Infection, with which it hath pleaſed God ſince alſo to viſit it. Here, then, to hold you long againſt your own Deſires, were to expreſs little Care of your Safeties; and to adjourn it, without your further Helps, were to deſtroy the Preparation already made: I therefore leave the Care of both to your Elections, Reſolutions, and Anſwers; only acquainting you with my own Opinion, which is, That it is better far, both for your Honours and mine, that, with Hazard of half the Fleet, it be ſet forth, than, with the aſſured Loſs of ſo much Proviſion, it be ſtayed at Home.

The whole Particular of all Expences about this Preparation ſhall be laid before you, when you ſhall be pleaſed to overlook them, and the Lord Treaſurer, with other Miniſters employed, ſhall acquaint you with them] *(b)*.

After his Majeſty had ended this Speech, he commanded his Secretaries, the Lord *Conway* and Sir *John Cook*, more particularly to declare the preſent State of his Affairs; which they did to this Effect:

Lord Conway and Sir John Cook declare the State of the King's Affairs.

'THAT our Sovereign Lord King *James*, of famous Memory, at the Suit of both Houſes of Parliament, and by the powerful Operation of his Majeſty that now is, gave Conſent to break off the two Treaties with *Spain*, touching the *Match* and the *Palatinate*, and to vindicate the

(b) This long Paſſage, and the reſt, within Crotchets, are omitted in *Ruſhworth*, but ſupplied from the *Lords Journals*.

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'the many Wrongs and Scorns done unto his Ma- An. 1 Charles I. A. 1625.
'jesty and his Royal Children: Besides, if the King
'of *Spain* were suffered to proceed in his Conquests,
'under Pretence of the Catholic Cause, he would
'become the Catholic Monarch, which he so much
'affects, and aspires unto. Also amidst these Ne-
'cessities, our late King considered that he might
'run a Hazard with his People, who being so long
'inured to Peace, were unapt to War; that the
'uniting with other Provinces in this Undertaking,
'was a Matter of exceeding Difficulty. This
'drew him to new Treaties for regaining his
'Childrens Right, which were expulsed by the
'Friends and Agents of *Spain*; and wherein his
'Majesty proceeded as far as the wisest Prince could
'go, and suffered himself to be won unto that,
'which otherwise was impossible for his Royal
'Nature to endure. He considered also the many
'Difficulties abroad; the Duke of *Bavaria*, by
'Force and Contract, had the *Palatinate* in his
'own Possession; most of the Electors and Princes
'of *Germany* were join'd with him; the Estates of
'other Princes, most likely to join in a War of
'Recovery, were seized and secured, and all by a
'conquering Army: Besides, the Emperor had
'called a Diet, in which he would take away all
'Possibility of recovering the Honour and Inheri-
'tance of the *Palatinate*: Thus it stood in *Ger-*
'*many*. And, in *France*, the King there chose to
'sheath his Sword in the Bowels of his own Sub-
'jects, rather than to declare against the Catholic
'Cause. In the *Low Countries*, the Sect of the
'*Arminians* prevail'd much, who inclined to the
'*Romans* rather than to their own Safety, notwith-
'standing that the Enemy had a great and power-
'ful Army near them; so that his Majesty was
'enforced to protect and countenance them with
'an Army of 6000 Men from hence, with a Cau-
'tion [*of Repayment of the Charges*] and the like
'Supply further, if required. Moreover, he
'sought Alliance with *France*, by a Match for his
'Royal Majesty that now is, thereby to have In-

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An. 1 Charles I. 1625.

tereſt in that King, and to make him a Party. The laſt Conſideration was his Majeſty's own Honour, who had laboured with the two King's of *Denmark* and *Sweden*, and the *German* Princes, from whom he received but cold Anſwers, they refuſing to join, unleſs they firſt ſaw his Majeſty in the Field: But of this he was very tender, unleſs the League was broken, or he firſt warred upon. The Forces of an Army were conſidered, and the Way of proceeding, whether by Invaſion or Diverſion; The Charges thereof appeared in Parliament to be 700,000 *l.* a Year; beſides *Ireland* was to be fortified, the Forts here repaired, and a Navy prepared, he thought it feaſible to enter into a League with the *French* King, and the Duke of *Savoy* and *Venice*.

'Hereupon an Army was committed to Count *Mansfield*, the Charge whereof came to 20,000 *l.* (*i*) a Month for his Majeſty's Part; alſo he commanded the preparing of this great Fleet: All which ſo heartened the Princes of *Germany*, that they ſent Ambaſſadors to the Kings of *Denmark* and *Sweden*, and thoſe two Kings offered a greater Army, both of Horſe and Foot, to which his Majeſty was to pay a Proportion. Count *Mansfield's* Army, tho' diſaſtrous, produced theſe happy Effects: *Firſt*, It prevented the Diet intended by the Emperor. *Secondly*, The *German* Princes gained new Courage to defend themſelves and oppoſe their Enemies. *Thirdly*, The King of *Denmark* hath raiſed an Army, with which he is marched in Perſon as far as *Minden*. Moreover, the Confederates of *France* and *Italy* have proſecuted a War in *Milan*, and Peace is now made by the *French* King with his own Subjects; ſo that by this Means, Breath is given to our Affairs.

'This Parliament is not called in meer Formality upon his now Majeſty's firſt coming to the Crown; but upon theſe real Occaſions, to conſult with the Lords and Commons. Two *Subſidies* are already given, and graciouſly accepted; but the Monies thereof,

(*i*) In *Ruſhworth* 70,000 *l.*

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thereof, and much more, are already disburſed. A Fleet is now at Sea, and haſtening to their Rendezvous, the Army is ready at *Plymouth*, expecting their Commanders. His Majeſty's Honour, Religion, and the Kingdom's Safety, is here engaged, beſides, he is certainly adviſed of Deſigns to infeſt his Dominions in *Ireland*, and upon our own Coaſts, and of the Enemy's Increaſe of Shipping in all Parts. Theſe Things have called the Parliament hither, and the preſent Charge of all amounts to above 400,000*l.* the further Proſecution whereof, the King being unable to bear, hath left it to their Conſultations. His Majeſty is verily perſuaded, that there is no King that loves his Subjects, Religion, and the Laws of the Land, better than himſelf; and likewiſe, that there is no People that better love their King, which he will cheriſh to the uttermoſt. It was thought that this Place had been ſafe for this Aſſembly; yet, ſince the Sickneſs hath brought ſome Fear thereof, his Majeſty willeth the Lords and Commons to put into the Balance, with the Fear of the Sickneſs, his and their great and weighty Occaſions. An. 1 Charles I. 1625.

Then the Lord Treaſurer added, 'That the late King, when he died, was indebted to the City of *London* 120,000*l.* beſides Intereſt, and indebted for *Denmark* and the *Palatinate* 150,000*l.* and indebted for his Wardrobe 40,000*l.* That theſe Debts lie upon his Majeſty that now is, who is indebted unto *London* 70,000*l.* That he hath laid out for his Navy 20,000*l.* and 20,000*l.* for Count *Mansfield*. And, for Mourning and Funeral Expences for his Father, 42,000*l.* For Expences concerning the Queen, 40,000*l.* The Navy will require, to ſet it forth in that Equipage as is requiſite for the great Deſign his Majeſty hath in Hand, and to pay them for the Time intended for this Expedition, 300,000*l.*'

The Proceedings of the Commons being now the principal Thing done in this Parliament, we ſhall

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An. 1 Charles I. 1625.

shall chiefly follow the Authority of their *Journals* for our Teſtimony therein. We are told, That the firſt Day of this Seſſion, the Affair of Dr. *Montagu's* Books was brought again on the Carpet, by Sir *Edward Coke*, and others: The Serjeant at Arms told the Houſe, that he had the Doctor's Bond of 2000*l.* for his Appearance; but that he had lately got a Letter from him that he was ſick of the Stone: On which the Serjeant was ordered to produce both the Bond and the Letter. The Sollicitor-General begg'd Leave to put the Houſe in mind of his Majeſty's Meſſage to them before the laſt Receſs; and moved to acquaint the King with the Particulars and Conſequences of the Book, and doubted not but they would have Leave to ſend for him. Hereupon a Debate aroſe, Whether any of the King's Servants might be queſtioned in that Houſe? One urged the Danger of ſuch an Exemption; and others named ſome Inſtances where they had; as, particularly, the Caſe of Sir *Thomas Parry*, who was a Privy Counſellor, whom the King deſired might be left to him; but the Houſe would not conſent, but expelled him. Mr. *Wentworth* (afterwards Earl of *Strafford*) mentioned the Lord Chancellor *Bacon's* and the Lord Treaſurer *Middleſex's* Caſe, whom this Houſe dealt with; he ſaid *Montagu* reproached Bible-bearers, which was the Arms of that Univerſity; and moved to proceed againſt him for a Contempt of that Houſe. This was agreed to, and to pray a Conference with the Lords about it; not to meddle with his Tenets, but to leave them to the Biſhops. The Serjeant was commanded, at his Peril, to bring Dr. *Montagu* to the Houſe, with all convenient Speed, and he to ſtand committed till he ſhall be diſcharged by the Houſe.

The Commons reſume the Complaint againſt Dr. Montagu.

The Commons then proceeded to take into Conſideration the King's Speech, and the ſubſequent Account from the Secretaries; and ordered, That all the Members ſhall attend the next Morning, and not depart without Licence, on Pain of the Cenſure of the Houſe.

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August 5. The two Chancellors of the Exchequer and Duchy, the Treasurer of the Houshold, and some more, moved for the Supply; which, they said, must be two *Subsidies*, and two *Fifteenths*, at least, for less would not serve for the present Occasions. This was opposed by others, who urged to know the Cause for this Supply, and the Enemy against whom the Preparations were destinated: That the Estates of the Papists, who contributed to their Enemies, may be speedily looked into, to supply the King. Old Sir *Edward Coke* begins, as usual, in this Debate, with some *Latin* Sentences, *Necessitas affectata, invincibilis, & improvida*: The two last, he said, break all Laws and Orders, and must be supplied: But, if their Necessities came by Improvidence, then no such Cause to give. *Neutralitas nec Amicos parit, nec Inimicos tollit. Commune Periculum, commune Auxilium.* No King can subsist in an honourable Estate without three Abilities. *First*, To be able to maintain himself against sudden Invasions. *Secondly*, To aid his Allies and Confederates. *Thirdly*, To reward his well-deserving Servants. But, he urged, there was a Leak in the Government, of which Leak such as these were the Causes; Frauds in the Customs; Treaty about the *Spanish* Match; new invented Offices, with large Fees; old unprofitable Offices, which the King might justly take away with Law, Love of his People, and his own Honour; the Presidentships of *York* and *Wales*; Multiplicity of Offices in one Man; every Officer to live on his own Office; the King's Houshold out of Order; new Tables kept there made the Leakage the greater; voluntary Annuities, or Pensions, which ought to be stopped till the King was out of Debt, and able to pay them. In the 4th *Henry* IV. no Man was to beg of the King till he was out of Debt. *Lastly*, That all unnecessary Charges, costly Diet, Apparel, Buildings, &c. increase still the Leakage. Ab. 1 Charles B. 1625. Debate on a Motion for the Supply.

'To apply some Means for Remedy; the Multiplicity of Forests and Parks, now a great Charge to the King, might be drawn into a great Benefit

to

An. 1. Charles I. 1625. to him; that understanding Officers be employed in the King's House, to reduce it to its ancient Form; and not with Sir *Lionel Cranfield*, to divide a Goose; and that his Shop-Boys be not taken from his Shops and placed in the Green-Cloth; that the Great Offices, for the Defence of the Kingdom, be put into the Hands of able Men that have Experience, as Admiralty's Places, &c. (*k*). The King's ordinary Charge in *Edward's* III's Time, was borne by the King's ordinary Revenue. *Ireland*, at that Time, was also 30,000 *l.* a Year Benefit to the King; but now a great Charge to him. To petition the King rather for a logique than a rhetorique Hand; a strait, than an open one. Move for a Committee to put down these, and such other Heads as shall be offered.'

It may be supposed that this Speech of the old Orator's was very long, by the Heads of it above-mentioned, and the Subsequence of this Day's Debates; for little is entered after it, save that the Solicitor-General moved to petition the King to declare the King of *Spain* an Enemy, since it was he that had done them all the Wrong: To take Care of *Papists* at home, whose Hearts were with the *Spaniards*, and are dangerous here, whilst our Navy was abroad. Two *Subsidies* and two *Fifteenths*, to be paid in *October* and *April* come twelve Months. Others declared against granting *Subsidies* in Reversion; and not to graft *Subsidy* upon *Subsidy* in one Parliament. A Committee for this Matter was moved for, the Duke to be called to it, 'That he may give Satisfaction for these Aspersions that had been laid upon him.' But no Resolution was come to on this Day.

This was the first Stroke made at the Minister, to be met with in the *Journals*; but much more is in the Sequel. The next Day, *August* 6, after some Business of less Consequence was done, Sir *Henry Mildmay*

(*k*) These Strokes at the then Lord Treasurer and Lord Admiral, are taken from an old Manuscript of the Proceedings of this Parliament, but are omitted in the *Journals*: However, the Blow was followed closer afterwards.

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Mildmay stood up and said, 'That they were called thither for two Reasons; for the Cause of Religion, and granting a Supply to his Majesty. That their Coldness in Religion was one of the principal Causes of the grievous Visitation then upon them. To add to our former Petition to his Majesty, that he will upon no Account give any Connivance to the *Papists*. That they were not absolutely bound to maintain a War, but to assist and supply the King in a War. Moved, first, to know what Money will serve for the Fleet; then to raise the Supply, if not by Subsidy, yet by some other Course, of which there are Precedents; and which, being done in Parliament, is a Parliamentary Course.' A Committee was moved for, by others, to consider of the King's Supply: And Secretary *Cook* urged, That the Commission of the Navy might be the first examined. This was followed by Mr. *Strode*; but he added, sarcastically enough, 'That all who spoke in the Committee might apply themselves to this, How two *Subsidies* and *Fifteenths*, payable more than one Year hence, can supply a Navy, to go out in fourteen Days.' An. 1 Charles I. 1625.

Another Member, Sir *Nathanael Rich*, said, 'That they ought not ro refuse to give at all; but first, to represent their Wants to the King, first, for Religion, to have his Majesty's Answer in full Parliament, and then enrolled; which then would be o Force with an Act of Parliament. Next, to know the Enemy against whom War was to be made. The Necessity of an advised Counsel for governing of the great Affairs of the Kingdom. The Necessity of looking into the King's Revenue. To have his Majesty's Answer concerning Impositions on Wines. And tho' the Time was not now fit for the Decision of all these Points, yet a select Committee to be appointed to set down the Heads of them, and then to have the King's Answer to them in Parliament; the doing of which, he said, was no Capitulation with his Majesty, but an ordinary Parliamentary Course, as 22 *Edw.* III. and that

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An. 22 James I. 1624. that without which the Common-Wealth could neither supply the King, nor subsist.'

Mr. *Rushworth* tells us (*l*), That the Anti-Courtiers were freer than all this with the Ministry. At this Debate, he says, they urged, 'That great Sums of Money were given for Places, to the Value of 140,000 *l.* at least. That the King ought to contribute to help the *Palatinate's* Cause with his own Estate. That the Time of the Year was too far spent for the Fleet to go out for Service. That Enquiry ought to be made, Whether the Duke brake not the Match with *Spain*, out of Spleen and Malice to the Conde *Olivares*? Whether he made not the Match with *France* upon harder Terms? And whether the Ships, employed against *Rochel*, were not maintained with the *Subsidies* given for the Relief of the *Palatinate*?' Of all which there is not one Syllable mentioned in the *Journals*.—— Though indeed, there is sufficient Reason to believe they might have been said in this Debate, by what follows: For Mr. *Edward Clarke*, a Member, us'd an Expression in a Speech, 'That there had been Speeches there, with invective Bitterness, and very unseasonable for the Time.' On which there was a general Acclamation, *To the Bar*; and, being ordered to explain himself there, he gave still greater Offence. He was then further ordered to withdraw, whilst this Matter was debated in the House. Some argued for Expulsion; others said, though the Offence was great, yet the Punishment ought to be more moderate. At length, it was agreed, 'That he should kneel at the Bar, and the Speaker to let him know the House had taken just Offence at his Words; and therefore that he should stand committed to the Serjeant during the Pleasure of the House.' But, the next Day, upon Submission made, he was released.

A Member censured for some Reflections.

In

(*l*) *Collections*, Vol. I. p. 180.

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In this Debate, Sir *Robert Cotton*, the learned Antiquary, spoke as follows (*m*); An. 1 Charles I. 1625.

Mr. Speaker,

ALTHO' the conſtant Wiſdom of this Houſe of Commons did well and worthily appear, in cenſuring that ill-adviſed Member the laſt Day, for trenching ſo far into their ancient Liberties; and might encourage each worthy Servant of the Public here, to offer up freely his Counſel and Opinion: Yet, ſince theſe Walls cannot conceal from the Ears of captious, guilty and revengeful Men without, the Counſel and Debates within; I will endeavour, as my clear Mind is free from any perſonal Diſtaſte of any one, ſo to expreſs the honeſt Thoughts of my Heart, and diſcharge the beſt Care of my Truſt, as no Perſon ſhall juſtly tax my innocent and public Mind; except his Conſcience ſhall make him guilty of ſuch Crimes as worthily have, in Parliament, impeached others in elder Times. I will therefore, with as much Brevity as I can, ſet down how theſe Diſorders have, by Degrees, ſprung up in our own Memories; how the Wiſdom of the beſt and wiſeſt Ages did of old redreſs the like; and laſtly, what modeſt and duriful Courſe I would wiſh to be followed by ourſelves, in this ſo happy Spring of our hopeful Maſter. For, Mr. Speaker, we are not to judge, but to preſent; The Redreſs is above *ad Querimoniam Vulgi*. Sir Robert Cotton's Speech on that Occaſion.

'Now, Mr. Speaker, ſo long as thoſe attended about our late Sovereign Maſter, now with God, as had ſerved the late Queen of happy Memory, Debts of the Crown were not ſo great; Commiſſions and Grants not ſo often complained of in Parliament; Trade flouriſhed; Penſions not ſo many, tho' more than in the late Queen's Time, for they exceeded not 18,000*l.* now near 120,000*l.* all Things of Moment were carried by public Debate at the Council-Table; no Honours ſet to Sale;

(*m*) Taken from his Poſthumous Works, publiſhed by *Mrs Howell*, *Anno* 1651.

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An. 22 James I. 1625. Sale; nor Places of Judicature; Laws againſt Prieſts and Recuſants were executed; Reſort of *Papiſts* to Ambaſſadors Houſes barred and puniſhed; his Majeſty, by daily Direction to all his Miniſters, and, by his own Pen, declaring his Diſlike of that Profeſſion; no waſteful Expences in fruitleſs Ambaſſages, nor any tranſcendent Power in any one Miniſter. For Matters of State, the Council-Table held up the fit and ancient Dignity. So long as my Lord of *Somerſet* ſtood in State of Grace, and had, by his Majeſty's Favour, the Truſt of the Signet Seal, he oft would glory juſtly, that there paſſed neither to himſelf, or his Friends, any long Grants of his Highneſs's Lands or Penſions: For of that which himſelf had, he paid 20,000 *l.* towards the Marriage-Portion of the King's Daughter. His Care was to paſs no Monopoly or illegal Grant; and that ſome Members of this Houſe can witneſs by his Charge unto them. No giving way to the Sale of Honours, as a Breach upon the Nobility, (for ſuch were his own Words) refuſing Sir *John Roper's* Office, then tendred to procure him to be made a Baron. The Match with *Spain* then offered, (and with Condition to require no further Toleration in Religion than Ambaſſadors here are allowed) he, diſcovering the double Dealing and the Dangers, diſſuaded his Majeſty from; and left him ſo far in Diſtruſt of the Faith of that King, and his great Inſtrument *Gondomar*, then here reſiding, that his Majeſty did term him long Time after a *Jugling Jack*. Thus ſtood the Effect of his Power with his Majeſty when the Clouds of his Misfortune fell upon him. What the future Advices led in, we may well remember. The Marriage with *Spain* was again renewed: *Gondomar* declared an honeſt Man: *Popery* heartened, by employing ſuſpected Perſons for Conditions of Conveniency: The Forces of his Majeſty in the *Palatinate* withdrawn, upon *Spaniſh* Faith improved here and believed, by which his Highneſs's Children have loſt their Patrimony; and more Money been ſpent in fruitleſs Am-

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Ambaſſages, than would have maintained an Army fit to have recovered that Country. Our old and faſt Allies diſheartened, by that tedious and dangerous Treaty: And the King our now Maſter expoſed to ſo great a Peril, as no wiſe and faithful Council would ever have adviſed. Errors in Government, more in Misfortune by weak Counſels, than in Princes.' An. 1 Charles I. 1625.

'The Loſs of the County of *Poyntois* in *France*, was laid to Biſhop *Wickham's* Charge in the firſt of *Richard* II. for perſuading the King to forbear ſending Aid when it was required: A Capital Crime in Parliament. The Loſs of the Duchy of *Maine* was laid to *De la Pole* Duke of *Suffolk*, 28 *Henry* VI. in ſingly and unwiſely treating of a Marriage in *France*.'

'A *Spaniſh* Treaty loſt the *Palatinate*.—Whoſe Counſel hath pronounced ſo great Power to the *Spaniſh* Agent (as never before) to effect Freedom to ſo many Prieſts as have been of late; and to become a Sollicitor almoſt in every Tribunal for the ill-affected Subjects of the State, is worth the Inquiry?'

'What Grants of Impoſitions, before croſſed, have lately been complained of in Parliament? As that of *Ale-Houſes*, *Gold-Thread*, *Pretermitted Cuſtoms*, and many more; the leaſt of which would have, 50 *Edward* III. been adjudged in Parliament an heinous Crime, as well as thoſe of *Lyon* and *Latymer*.'

'The Duke of *Suffolk* in the Time of *Henry* VI. in procuring ſuch another Grant, in Derogation of the Common Law, was adjudged in Parliament.'

'The Gift of Honours, kept as the moſt ſacred Treaſure of the State, now ſet to Sale. Parliaments have been Suitors to the King to beſtow thoſe Graces; as in the Times of *Edward* III. *Henry* IV. and *Henry* VI. More now led in, by that Way only, than all the Merits of the beſt Deſervers have got theſe laſt 500 Years. So tender was the Care of elder Times, that it is an Article

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An. 1 Charles I. 1625. 28 *Henry* VI. in Parliament againſt the Duke of *Suffolk*, that he had procured for himſelf, and ſome few others, ſuch Titles of Honour, and thoſe ſo irregular, that he was the firſt that ever was Earl, Marquis, and Duke of the ſelf-ſame Place. *Edward* I. reſtrained the Number, in Policy, that would have challenged a Writ by Tenure: And how this Proportion may ſuit with the Profit of the State, we cannot tell. Great Deſerts have now no other Recompence than coſtly Rewards from the King; for, we are now at a vile Price of that which was once ineſtimable. If worthy Perſons have been advanced freely to Places of greateſt Truſt, I ſhall be glad. *Spencer* was condemned in the 14 *Edward* II. for diſplacing good Servants about the King, and putting in his Friends and Followers; not leaving, either in the Church or Common-Wealth, a Place to any, before a Fine was paid unto him for his Dependence. The like in part was laid by Parliament on *De la Pole*. It cannot but be a ſad Hearing unto us all, what my Lord Treaſurer lately told us of his Majeſty's great Debts, high Engagements, and preſent Wants: The Noiſe whereof I wiſh may ever reſt incloſed within theſe Walls. For, what an Encouragement it may be to our Enemies, and a Diſheartning to our Friends, I cannot tell. The Danger of thoſe, if any they have been the Cauſe, is great and fearful. It was no ſmall Motive to the Parliament, in the Time of *Henry* III. to baniſh the King's Half-Brethren for procuring to themſelves ſo large Proportion of Crown Lands. *Gaveſton* and *Spencer* for doing the like for themſelves, and their Followers, in the Time of *Edward* II. and the Lady *Veſſy* for procuring the like for her Brother *Beaumont*, was baniſhed the Court. *Michael de la Pole* was condemned 10 *Richard* II. in Parliament, amongſt other Crimes, for procuring Lands and Penſions from the King, and having employed the Subſidies to other Ends than the Grant intended. His Grand-Child, *William* Duke of *Suffolk*, for the like was cenſured 28 *Henry* VI. The great Biſhop

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Bishop of *Winchester*, 50 *Edward* III. was put upon the King's Mercy by Parliament, for wasting in Time of Peace, the Revenues of the Crown, and Gifts of the People; to the yearly Oppression of the Common-Wealth. Offences of this Nature were urged, to the ruining of the last Duke of *Somerset* in the Time of *Edward* VI. More fearful Examples may be found, too frequent in Records. Such Improvidence and ill Counsel led *Henry* III. into so great a Strait, as after he had pawned some Part of his foreign Territories, broke up his House, and fought his Diet at Abbies and Religious Houses, engaged not only his own Jewels, but those of the Shrine of St. *Edward* at *Westminster*; he was in the end not content, but constrained to lay to pawn (as some of his Successors after did) *Magnam Coronam Angliæ*, the Crown of *England*. To draw you out to Life the Image of former Kings Extremities, I will tell you what I found since this Assembly at *Oxford*, written by a Reverend Man, twice Vice-Chancellor of this Place; his Name was *Gascoign*; a Man that saw the Tragedy of *De la Pole*: He tells you that the Revenues of the Crown were so rent away by ill Counsel, that the King was inforced to live *de Tallagiis Populi*: That the King was grown in Debt *quinque centena millia Librarum*: That his great Favourite, in treating of a foreign Marriage, had lost his Master a foreign Duchy: That to work his Ends, he had caused the King to adjourn the Parliament *in Villis & remotis Partibus Regni*, where few People, *propter defectum Hospitii & Victualium* could attend; and by shifting that Assembly from Place to Place, to inforce (I will use the Author's own Words) *illos paucos, qui remanebant de Communitate Regni, concedere Regi quamvis pessima*. When the Parliament endeavoured by an Act of Resumption, the just and frequent Way to repair the languishing State of the Crown (for all from *Henry* III. but one, till the 6 *Henry* VIII. have used it) this great Man told the King it was *ad Dedecus Regis*; and forced him from it: To which the Commons an-

An. 1 Charles I. 1625.

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An. 1 Charles I. 1625.

swer'd, altho' *vexati Laboribus & Expensis, nunquam concederent Taxam Regi*, until by Authority of Parliament, *resumeret actualiter omnia Pertinentia Coronæ Angliæ:* And that it was *magis ad Dedecus Regis*, to leave so many poor Men in intolerable Want, to whom the King stood then indebted. Yet nought could all good Counsel work, until by Parliament that bad great Man was banished; which was no sooner done, but an Act of Resumption followed the Inrollment of the Act of his Exilement. That was a speeding Article against the Bishop of *Winchester* and his Brother, in the Time of *Edward* III. that they had ingrossed the Person of the King from his other Lords. It was not forgotten against *Gaveston* and the *Spencers*, in the Time of *Edward* II. The unhappy Ministers of *Richard* II. *Henry* VI. and *Edward* VI. felt the Weight, to their Ruin, of the like Errors. I hope we shall not complain in Parliament again of such.'

'I am glad we have neither just Cause, or undutiful Dispositions, to appoint the King a Counsel to redress those Errors in Parliament, as those 42 *Henry* III. We do not desire, as 5 *Henry* IV. or 29 *Henry* VI. the removing from about the King any evil Counsellors. We do not request a Choice by Name, as 14 *Edward* II. 3, 5, 11. *Richard* II. 8 *Henry* IV. or 31 *Henry* VI. nor to swear them in Parliament, as 35 *Edward* I. 9 *Edward* II. or 5 *Richard* II. or to line them out their Directions of Rule, as 43 *Henry* III. and 8 *Henry* VI. or desire that when *Henry* III. did promise in his 42d Year, *se Acta omnia per Assensum Magnatum de Concilio suo electorum, & sine eorum Assensu nihil.* We only in loyal Duty offer up our humble Desires, that since his Majesty hath, with advised Judgment, elected so wise, religious, and worthy Servants, to attend him in that high Employment; he will be pleased to advise, with them together, a Way of Remedy for those Disasters in State, brought on by long Security and happy Peace; and not be led with young and single Counsel.'

Thus ends Sir *Robert Cotton.* We

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We now return to the *Lords Journals*, for an Affair of no ſmall Moment, ſince the Conſequence of it determined the Fate of this Parliament. It is very lamely inſerted in the *Journals* of the Commons, and more ſo in *Ruſhworth*; whoſe Miſtakes and Omiſſions will be particularly diſtinguiſhed in this Recital. An. 1 Charles I. 1625.

Auguſt 8. The former Authorities tell us that this Day the Lords ſent a Meſſage to the Commons, 'That they had received one from the King, which was to be delivered to the Lords and Commons together, by the Lord Keeper and the Duke of *Buckingham*; and that his Majeſty had commanded the Lord Keeper to require the Lord Treaſurer, the Lord *Conway*, and Sir *John Cook*, to aſſiſt his Grace therein. Upon which Account, the Lords required a preſent Meeting with their whole Houſe, in the great Hall of *Chriſt-Church*, if it ſuited their Conveniency.' A grand Conference relating to Religion.

The Anſwer returned was, 'That the Commons would meet, at the Time and Place appointed, with their Speaker and the whole Houſe. And, as Intimation was given, that there might be Occaſion for a worthy Member of their Houſe, in delivering the Meſſage from his Majeſty; though it was againſt the very fundamental Privileges of the Houſe of Commons, yet they gave way to it, with this Proviſo; *That he ſpeak, as the King's Servant and Commiſſioner, and not as a Member of their Houſe.*'

At the ſame Time, the Commons ordered, within themſelves, That, as the Speaker and the whole Houſe went up, if the Lords kept bare, to do the ſame; if they covered, then the Speaker and the reſt to cover alſo.

Auguſt 9. The Report of this grand Conference between the two Houſes was made in the Houſe of Lords, by [Dr. *Abbot*] Archbiſhop of *Canterbury*: And firſt, on what had been offered by the Commons concerning Religion.

'That they preſented a Petition, directed to his Majeſty, deſiring this Houſe to join with them therein;

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An. 1 Charles I. 1625.

therein; the Effect whereof was, That whereas the Lords and Commons did, at their laſt Meeting, preſent a Petition to his Majeſty, for Advancement of God's true Religion and ſuppreſſing the contrary; unto which his Majeſty vouchſafed, as well by his own Mouth, as by the Lord Keeper's on the 11th of *July* laſt, to return ſuch an Anſwer as gave them Aſſurance of his Royal Performance thereof; yet, at this Meeting, they find that, on the 12th of *July* laſt, his Majeſty granted a Pardon unto *Alexander Baker*, a *Jeſuit*, and ten other *Papiſts*; which, as they are informed, was upon the Importunity of ſome foreign Embaſſador; and that it paſſed by immediate Warrant, and was recommended by the principal Secretary of State, without paying the ordinary Fees.

The Commons complain of a Pardon granted to a Jeſuit, &c.

Alſo, That divers Copes, Altars, Chalices, &c. (*n*) being found in the Houſe of one *Mary Eſtmond*, in *Dorſetſhire*, by two Juſtices of Peace; they thereupon tendered her the Oath of Allegiance; which, ſhe refuſing, they committed her to the Conſtable, from whom ſhe made her Eſcape, and complained to the King. That the ſaid Secretary of State did write unto theſe Juſtices in her Favour; all which they humbly deſired his Majeſty to take into Conſideration, and to give a due, effectual, and ſpeedy Redreſs therein.

After which the ſaid Petition, Pardon, and Letter were read; and then the Archbiſhop proceeded with the Report, 'That the Commons inſiſted much upon three Points: *Firſt*, The Date of the Pardon, being the next Day after the King's Anſwer delivered to both Houſes, by the King's Command. *Secondly*, That the Pardon diſpenſeth with theſe Laws, *viz.* with the Statutes of the 23d and 27th *Eliz.* and the 3d *Jac.* provided to keep his Majeſty's Subjects in due Obedience; and with the Statute the 10th of *Edward* III. which directeth, That every Felon, upon Pardon obtained, ſhould be bound to good Behaviour. *Thirdly*, That it was

(*n*) Theſe are called in *Ruſhworth*, by great Miſtake, *ſeveral Copies of Letters and other Papers.*

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was solicited by the principal Secretary, the Lord *Conway*; and to this they added these Circumstances.' An. 1 Charles I. 1625.

'That this *Jesuit*, being formerly imprisoned, and now set at Liberty, his Conversation might be dangerous in perverting many of the King's Subjects. That, heretofore, in the Time of Queen *Elizabeth*, if any were convicted and pardoned, (for she pardoned none before Conviction, that their Faults might be first known) they were, also, banished, not to return upon Pain of Death, which is prevented by this Pardon. They concluded, That both this Pardon and Letter were procured by the Importunity of some foreign Embassadors; which was of dangerous Consequence, to give the Subjects here any Dependency upon them.'

The Archbishop having ended, the Lord *Conway* stood up and affirmed, 'That tho' the Pardon was dated the next Day after the King's Promise to the Parliament, yet it was no Breach thereof. For it was granted long before; and his Lordship shewed, That, at *Christmas* last, his late Majesty promised to the Marquis *de Villa Clara*, the *French* Embassador, certain Graces and Privileges to the *Papists*; that the Marquis *D'Effiat* did, afterwards, obtain the like, to the End that the Queen might come the more easy hither; and the Duke *de Chevreux* his Majesty's Kinsman, who brought the Queen over, had importuned him that he might also carry Home the like Graces.'

'That the Pardon passed by immediate Warrant, to take off the continual Importunity of the Embassadors to the King; and he, being Secretary of State, solicited it himself; but it was at his Majesty's Command, to take off all Imputation from himself; and not out of any Affection of his to that Religion which he ever hated.'

'As touching the Non-payment of the Fees, his Lordship said, That Mr. *Benbowe* demanded 50*l.* for them; and the Embassador complaining thereof

An. 1 Charles I. 1625. to the King, he commanded him to see that no Fees should be taken.'

'That the Duke *de Chevereux* importuned the King to write that Letter, himself, in Favour of Mrs. *Estmond*; and he, as Secretary, was forced and commanded to do it, rather than that his Majesty should. The said Duke complained much of the Justices hard Carriage unto her, but he never heard any thing of her obstinate Behaviour to them; nor of any Copes, nor Altars, found in her House; wherefore he wrote, also, to be advertised of her Offence by them, but was not answered till within these few Days.'

'His Lordship protested his Sincerity to the true Religion, here established; whereof he had formerly given good Testimony, and in which he would persevere. And what he did, in these Matters, was only to take away all Scandal from the King, though it lighted upon himself; and that he did nothing but what he was first, expresly, commanded to do by the King.'

The Lord Keeper affirmed, 'That he received the said Pardon, long before the Date thereof; and if he had made a *Recipe* upon the Warrant, as is usual in other Cases, it had borne Date with that tho' sealed afterwards. But, that his Lordship deferred the Sealing thereof, in Hopes that the Embassadors would have been gone first, as they were often for going. But, they staying, and daily urging the King for the Pardon, he, being again commanded, sealed it at the next general Seal; and so it had Date with the Time of the Seal, and not of the Grant. His Lordship, well hoping, upon the Departure of the Embassadors, to have stopped it with his Majesty, otherwise it had been sealed before the King's Promise to the Parliament; and therefore this can be no Breach of the King's Promise.' His Lordship also said, 'That the Embassador urged his Majesty very much, to give a general Dispensation to the *Papists*; but the King was advised rather to pardon some few of them what was past. Which Counsel, though to be commended,

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mended, yet none gave way to it, but much againſt their Wills; and his Lordſhip wiſhed that a Petition might be preſented to the King, to ſtay the like Pardons hereafter.' An. 1 Charles I. 1625.

Next follows in the *Journals*, a Copy of a Petition to the King, from the Lords and Commons, repeating the aforeſaid Evidences; and that as the Letter and Pardon were drawn from him by the Importunity of foreign Embaſſadors; a Courſe, of late, too frequently practiſed by his ill-affected Subjects, it was of dangerous Conſequence, inducing to a Dependency upon foreign Princes, *&c.* But as the whole of this would be a Repetition of what is gone before, and beſides, as it was never preſented, it may well be omitted.

This previous Affair on Religion being ſettled, which we find the Commons inſiſted on before they would hear the King's Meſſage; the Lord Keeper, on the ſame Day, next proceeded to give the reſt of the Report on what paſſed in the Conference, along with the King's Meſſage and the Conſequence of it.

His Lordſhip began with telling the Houſe, 'That his Majeſty had graciouſly, fully, and in a Parliamentary Manner, anſwered the Petition concerning Religion, delivered him by both Houſes, at *Hampton-Court*, the 7th Day of *July* laſt; and had commanded his Lordſhip to ſignify to the Lords and Commons, that he had alſo given Command to the Lord Admiral to deliver his ſaid Anſwers thereunto, to both Houſes; to be by them depoſed, as the Anſwers of Kings unto Petitions, of that kind, exhibited, are wont to be. And withal to deliver a Meſſage from his Majeſty, concerning the great Affairs of his, now in Agitation in the Houſe of Commons.'

That then the Lord Admiral ſaid, 'His Majeſty had laid upon him ſuch a Charge; as, when he did conſider his own Weakneſs, it might utterly diſcourage him; were it not that reflecting again upon that Plainneſs and Sincerity, wherein a King ſhould deal with his People, he found himſelf the fitter

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An. 1 Charles I. 1625. fitter for the Employment; in that he was ſure he ſhould deliver it without Rhetorick or Art. As concerning the Petition, he could diſpatch that in two Words, that is, by giving a full Aſſurance that all was granted which was deſired; but held it fitter, for more Satisfaction, to read the Petition with the Anſwers annexed; and they were read accordingly, by Mr. Attorney *in hæc Verba:*

To the KING's moſt Excellent Majeſty.

Moſt gracious Sovereign,

The Petition of both Houſes for Execution of the Laws againſt Popery, and for advancing true Religion.

'IT being infallibly true, That nothing can more eſtabliſh the Throne, and aſſure the Peace and Proſperity of the People, than the Unity and Sincerity of Religion; We your moſt humble and loyal Subjects, the Lords Spiritual and Temporal, and Commons of this preſent Parliament aſſembled, hold ourſelves bound in Conſcience and Duty to repreſent the ſame to your ſacred Majeſty, together with the dangerous Conſequences of the Increaſe of *Popery* in this Land, and what we conceive to be the principal Cauſes thereof, and what may be the Remedies.

The Dangers appear in theſe Particulars.

'I. In their deſperate Ends, being both the Subverſion of the Church and State; and the Reſtleſſneſs of their Spirits to attain theſe Ends, the Doctrine of their Teachers and Leaders, perſuading them, that therein they do God good Service.

'II. Their evident and ſtrict Dependency upon ſuch foreign Princes, as no way affect the Good of your Majeſty and this State.

'III. The opening a way of Popularity to the Ambition of any, who ſhall adventure to make himſelf Head of ſo great a Party.

The principal Cauſe of the Increaſe of Papiſts.

'I. The Want of the due Execution of the Laws againſt *Jeſuits*, Seminary Prieſts, and

'*Popiſh*

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'*Popish* Recusants; occasioned partly by the Con- An. 1 Charles I. 1625.
'nivency of the State, partly by Defects in the
'Laws themselves, and partly by the manifold
'Abuse of Officers.

'II. The interposing of foreign Princes by their
'Ambassadors and Agents in Favour of them.

'III. Their great Concourse to the City, and
'frequent Conferences and Conventicles there.

'IV. The open and usual Resort to the Houses
'and Chapels of foreign Ambassadors.'

'V. The Education of their Children in Semi-
'naries and Houses of their Religion in foreign
'Parts, which of late have been greatly multipli-
'ed and enlarged for the entertaining of the
'*English*.

'VI. That in some Places of your Realm, your
'People be not sufficiently instructed in the Know-
'ledge of true Religion.

'VII. The licentious printing and dispersing of
'*Popish* and seditious Books.

'VIII. The Employment of Men ill-affected
'in Religion in Places of Government, who do,
'shall, or may, countenance the *Popish* Party.

The Remedies against this outrageous and dangerous Disease, we conceive to be these ensuing.

'I. That the Youth of this Realm be carefully
'educated by able and religious Schoolmasters, and
'they to be enjoined to catechize and instruct
'their Scholars in the Grounds and Principles of
'true Religion. And whereas, by many Com-
'plaints from divers Parts of the Kingdom, it doth
'plainly appear, That sundry *Popish* Scholars, dis-
'sembling their Religion, have craftily crept in,
'and obtained the Places of Teaching in divers
'Counties, and thereby infected and perverted their
'Scholars, and so fitted them to be transported to
'the *Popish* Seminaries beyond the Seas; that there-
'fore there be great Care in the Choice and Admis-
'sion of Schoolmasters, and that the Ordinaries make
'diligent Enquiries of their Demeanors, and pro-
'ceed

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An. 1 Charles I. 1625. ‘ceed to the removing of such as shall be faulty, ‘or justly suspected.

His MAJESTY'S ANSWER.

And the King's Answers. *This is well allowed of, and for the better Performance of what is desired, Letters shall be written to the two Archbishops, and, from them, Letters to go to all the Ordinaries of their several Provinces to see this done; the several Ordinaries to give Account of their Doings herein to the Archbishops respectively, and they to give Account to his Majesty of their Proceedings herein.*

II. ‘That the ancient Discipline of the Uni-‘versities be restored, being the famous Nurseries ‘of Literature and Virtue.’

Answ. *This is approved by his Majesty, and the Chancellor of each University shall be required to cause due Execution of it.*

III. ‘That special Care be taken to enlarge the ‘Word of God throughout all the Parts of your ‘Majesty's Dominions, as being the most power-‘ful Means for planting of true Religion, and ‘rooting out of the contrary: To which End, a-‘mong other Things, let it please your Majesty to ‘advise your Bishops, by fatherly Intreaty and ‘tender Usage, to reduce to the peaceable and or-‘derly Service of the Church, such able Ministers ‘as have been formerly silenced, that there may be ‘a profitable Use of their Ministry in these needful ‘and dangerous Times: And that *Non-residency*, ‘*Pluralities*, and *Commendams*, may be moderated. ‘Where we cannot forbear most humbly to thank ‘your Majesty, for diminishing the Number of your ‘own Chaplains; not doubting of the like prince-‘ly Care for the well-bestowing of the rest of ‘your Benefices, both to the Comfort of the People, ‘and the Encouragement of the Universities, being ‘full of grave and able Ministers unfurnished with ‘Livings.’

Answer. *That his Majesty likes well, so it be applied to such Ministers as are peaceable, orderly, and conformable to the Church Government. For* Plura-

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lities *and* Non-residencies, *they are now so moderated,* An. 1 Charles I. 1625.
that the Archbishops affirm, there be now no Dispensations for Pluralities granted; nor no Man is allowed above two Benefices, and those not above thirty Miles distant: And for avoiding Non-residence, the Canon, in that Case provided, shall be duly put in Execution. For Commendams, *they shall be sparingly granted, only in such Case where the Exility and Smallness of the Bishoprick requireth. Also his Majesty will cause that the Benefices belonging to him shall be well bestowed. And, for the better propagating of Religion, his Majesty recommendeth to the Houses of Parliament, that Care may be taken, and Provision made, that every Parish shall allow a competent Maintenance for an able Minister; and that the Owners of Parsonages impropriate would allow to the Vicars, Curates, and Ministers, in Villages and Places belonging to their Parsonage, sufficient Stipend and Allowance for preaching Ministers.*

IV. 'That there may be strict Provision against 'transporting of *English* Children to the Seminaries beyond the Seas, and for the recalling of them 'who are already there placed; and for the Punishment of such your Subjects, as are Maintainers 'of those Seminaries or of the Scholars; considering that, besides the seducing of your People, 'great Sums of Money are yearly expended upon 'them, to the impoverishing of this Kingdom.'

Answ. *The Law in this Case shall be put in Execution. And further, there shall be Letters written to the Lord Treasurer, and also to the Lord Admiral, That all the Ports of this Realm, and the Creeks and Members thereof, be strictly kept, and strait Searches made to this End. A Proclamation shall be to recall both the Children of Noblemen and the Children of any other Men; and they to return by a Day: Also Maintainers of Seminaries of Scholars there, shall be punished according to Law.*

V. 'That no *Popish Recusant* be permitted to 'come within the Court, unless your Majesty be 'pleased to call him upon special Occasion, agree-'able to the Statute of 3 *Jac.* And whereas 'your

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An. 1 Charles I. 1625. ‘ your Majesty, for the preventing of apparent ‘ Mischiefs, both to your Majesty and the State; ‘ hath, in your princely Wisdom, taken Order; ‘ that none of your natural-born Subjects, not pro- ‘ fessing the true Religion by Law established, be ‘ admitted into the Service of your Royal Consort ‘ the Queen, we give your Majesty most humble ‘ Thanks, and desire that your Order herein may ‘ be observed.’

Answer. *If his Majesty shall find, or be informed of any Concourse of Recusants to the Court, the Law shall be strictly followed. And his Majesty is pleased, that, by Proclamation, the* British *and* Irish *Subjects shall be put in the same Case. And as his Majesty hath provided in his Treaty with* France, *so his Purpose is to keep it, That none of his Subjects shall be admitted into his Service, or into the Service of his Royal Consort the Queen, that are* Popish Recusants.

VI. ‘ That all the Laws now standing in force ‘ against *Jesuits*, *Seminary Priests*, and others ha- ‘ ving taken Orders by Authority derived from ‘ the See of *Rome*, be put in due Execution. And ‘ to the Intent they may not pretend to be surpri- ‘ zed, that a speedy and certain Day be prefix'd ‘ by your Majesty's Proclamation for their Depar- ‘ ture out of this Realm, and all other your Domi- ‘ nions, and not to return upon the severest Penal- ‘ ties of the Law now in force against them: And ‘ that all your Majesty's Subjects may be thereby ‘ admonished not to receive, comfort, entertain, ‘ or conceal any of them, upon the Penalties ‘ which may be lawfully inflicted: And that all ‘ such *Papists*, *Jesuits*, and *Recusants*, who are, ‘ and shall be imprisoned for *Recusancy*, or any ‘ other Cause, may be so strictly restrained; as that ‘ none should have Conference with them, thereby ‘ to avoid the Contagion of their corrupt Religion: ‘ And that no Man, that shall be suspected of *Po- ‘ pery*, be suffered to be a Keeper of any of his ‘ Majesty's Prisons.’

Answ. *The Law in this Case shall be put in Execution, and a Proclamation shall be to the Effect de-*

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fered; and such Restraint shall be made, as is desired; and no Man, that is justly suspected of Popery, *shall be suffered to be a Keeper of any of his Majesty's Prisons.* An. 1. Charles I. 1625.

VII. 'That your Majesty be pleased to take 'such Order, as to your princely Wisdom shall 'be expedient, That no natural-born Subject, or 'strange Bishops, nor any other by Authority from 'the See of *Rome*, confer any Ecclesiastical Orders, 'or exercise any Ecclesiastical Function whatsoever, toward or upon your Majesty's natural-'born Subjects within your Dominions.'

Answer. *This is fit to be ordered according as is provided; and it shall be so published by Proclamation.*

VIII. 'That your Majesty's learned Counsel 'may receive Order and Commandment to consider of all former Grants of Recusants Lands, 'that such of them may be avoided as are made 'to the Recusants Use or Interest, or out of which 'the Recusant receiveth any Benefit, which are 'either void, or voidable by the Law.'

Answer. *The King will give Order to his learned Counsel to consider of the Grants; and will do according as is desired.*

IX. 'That your Majesty will be likewise pleased strictly to command all your Judges and Ministers of Justice, Ecclesiastical and Temporal, 'to see the Laws of this Realm against *Popish Recusants*, to be duly executed: And namely, that 'the Censure of Excommunication be declared and 'certified against them; and that they be not absolved but upon public Satisfaction, by yielding to 'Conformity.'

Answer. *His Majesty leaves the Laws to their Course, and will order in the Point of Excommunication as is desired.*

X. 'That your Majesty will be pleased to remove from Places of Authority and Government, all such Persons as are either *Popish Recusants*, or, according to Direction of former Acts 'of State, to be justly suspected.'

Answ.

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An. 1 Charles I. 1625. Answ. *This his Majesty thinks fit, and will give order for it.*

XI. 'That present Order be taken for disarming 'all *Popish Recusants*, legally convicted, or justly 'suspected, according to the Laws in that Behalf, 'and the Orders taken by his late Majesty's Privy 'Council upon Reasons of State.'

Answer. *The Laws and Acts in this Case shall be followed, and put in due Execution.*

XII. 'That your Majesty be also pleased, in re-'spect of the great Resort of *Recusants* to and about '*London*, to command forthwith, upon Pain of 'your Indignation, and severe Execution of the 'Laws, that they retire themselves to their several 'Countries, there to remain confined within five 'Miles of their Places.'

Answer. *For this the Laws in force shall be forthwith executed.*

XIII. 'And whereas your Majesty hath strictly 'commanded and taken Order, that none of your 'natural-born subjects repair to the hearing of 'Masses, or other superstitious Service at the Cha-'pels or Houses of foreign Ambassadors, or in any 'other Places whatsoever; we give your Majesty 'most humble Thanks, and desire that your Order 'and Commandment therein may be continued 'and observed, and that the Offender herein may 'be punished according to the Laws.'

Answer. *The King gives Assent thereto, and will see that observed which herein hath been commanded by him.*

XIV. 'That all such Insolencies, as any that are '*popishly* affected have lately committed, or shall 'hereafter commit to the Dishonour of our Reli-'gion, or to the Wrong of the true Professors 'thereof, be exemplarily punished.'

Answer. *This shall be done as is desired.*

XV. 'That the Statute of 1 *Eliz.* for the Pay-'ment of Twelve-pence every *Sunday*, by such as 'shall be absent from divine Service in the Church, 'without a lawful Excuse, may be put in due Exe-'cution, the rather, for that the Penalty, by Law,

'is

'is given to the Poor, and therefore not to be dif- An. 1 Charles I. 1625.
'penſed withal.'

Anſwer. *It is fit that this Statute be executed, and the Penalties ſhall not be diſpenſed withal.*

XVI. 'Laſtly, That your Majeſty would be 'pleaſed to extend your princely Care alſo over 'the Kingdom of *Ireland*, that the like Courſes 'may be there taken for the reſtoring and eſta-'bliſhing of true Religion.'

Anſwer. *His Majeſty's Cares are, and ſhall be extended over the Kingdom of* Ireland; *and he will do all that a religious King ſhould do for the reſtoring and eſtabliſhing of true Religion there.*

'And thus, moſt gracious Sovereign, according 'to our Duty and Zeal to God and Religion, to 'your Majeſty and your Safety, to the Church and 'Common-Wealth, and their Peace and Proſpe-'rity, we have made a faithful Declaration of the 'preſent Eſtate, the Cauſes and Remedies of this 'increaſing Diſeaſe of *Popery*, humbly offering the 'ſame to your princely Care and Wiſdom. The 'Anſwer of your Majeſty's Father, our late So-'vereign, of famous Memory, upon the like Peti-'tion, did give us great Comfort of Reformation; 'but your Majeſty's moſt gracious Promiſes made 'in that Kind, do give us Confidence and Aſſu-'rance of the continual Performance thereof; in 'which Comfort and Confidence repoſing ourſelves, 'we moſt humbly pray for your Majeſty's long 'Continuance in all princely Felicity.'

The Petition and Anſwers being read, the Lord Admiral ſaid, 'That as his Majeſty took well their putting him in Mind of his Care for Religion; ſo he would have done and granted the ſame Things, tho' they had never petitioned him. Neither did he place this Petition, in this Order, as a Wheel to draw on other Affairs and Deſigns; but leaves them to move in their own Spheres, as being of ſufficient Poiſe and Weight within themſelves. What was done in this Petition, came from theſe two ountains, Conſcience and Duty to his Father; who,

The Duke of Buckingham gives the King's Reaſons for approving of the ſaid Petition.

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An. 1 Charles I. 1625. who, in his last Speech, recommended unto him *the Person, but not the Religion of the Queen.*'

Then his Grace signified, 'That, by the King's Commands, he was to give, to both Houses, an Account of the Fleet, and all the Preparations thereof; which he did in this Manner:

His Account of the Preparations for the Fleet, and the State of Affairs in Christendom.

'That the first and last Time he had the Honour to speak in this Auditory, it was on the same Business; and then he was so happy as to be honoured and applauded by both Houses: And he made no Question, but, speaking with the same Heart, and on the same Business, he should be so now: For, if they looked upon the Change of Affairs in *Christendom*, they could not think it less than a Miracle. Then the King of *Spain* was sought and courted by all the World; he was become Master of the *Valtoline*; had broke all *Germany* in Pieces, and was possessed of the *Palatinate*. The Princes of *Germany* were weak, and not able to resist; and, by reason of his Master's Neutrality, caused by a Treaty, he kept all other Kings and Princes in Awe. Now, on the contrary, the *Valtoline* is at Liberty; the War is proclaim'd beyond the *Alps*; the King of *Denmark* is in Arms, with 17,000 Foot and 6000 Horse, besides Commissions to make them up 30,000; the King of *Sweden* is also interesting; the Princes of the *Union* are revived; the King of *France* is engaged against *Spain*, and, for that Purpose, having made Peace with his own Subjects, hath joined and confederated himself with *Savoy* and *Venice*. Why should not he, therefore, hope for the same Success; considering that, since the Time of his last Speech to both Houses, there was not one Action, or a Thought of his, that levelled at any other than one and the same Object, which was to please their Desires? If he should credit all Rumours, which he would not do, he should speak with some Confusion of Fear to hold the same Place he formerly did in their Affections: But, having still the same virtuous Ambition, and considering his own Heart to the King and State, he could find

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find no Cauſe of Alteration, but was all Courage and Confidence.' An. 1 Charles I. 1625.

Here the Duke made a Requeſt to the Houſe of Commons, 'That if any Man had ſpoken or ſhould ſpeak any Thing, in Diſcharge of his Conſcience, Zeal of Reformation, or Love to his Country, which may ſeem to reflect upon ſome particular Perſons, he may be the laſt that ſhall apply it to himſelf: Becauſe he is confidently aſſured of two Things; *firſt*, That they are ſo juſt as not to fall upon him without Cauſe, who was ſo lately approved by them. And *ſecondly*, That himſelf ſhall deſerve nothing that ſhall miſbecome a faithful *Engliſhman*.'

This Preamble to the Duke's enſuing Speech is almoſt wholly omitted in *Ruſhworth*; but for what Reaſon we know not, ſince we have not yet met with a more pathetical one thro' the whole Courſe of theſe Enquiries. Herein is included a moſt ſuccinct Account of the then preſent State of the *Chriſtian* World; which evidently ſhews that the Duke of *Buckingham*, whatever he was as a Miniſter, was both a very great Politician, and an excellent Orator.

The Lord Keeper next proceeded to give the remaining Part of his Report, which was the Sequel of the Duke's Speech. He ſaid his Grace choſe rather to proceed in it by way of Queſtion and Anſwer, than in one continued Speech, as being the ſpeedier Way and Means to yield Satisfaction to the Commons. He would take his Riſe, he ſaid, from the Breach of the Treaties and Alliance, and put ſome Queſtions to himſelf, yet none but ſuch as ſhould be material to the Buſineſs in Hand. That his Grace did move twelve, which the Lord Keeper ſaid he would enlarge, for Clearneſs and Perſpicuity's Sake, into fourteen Queſtions. The firſt was,

Queſt. 1. *By what Counſels the Deſigns and Actions of War were carried on and enterprized?* And the Conduct of the War.

Anſwer. 'By the Advice of Parliament: And this his Grace proved by the Act of both the

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An. 1 Charles I. 1625. Houſes, *March* 24, 1623, which was read; and then his Grace proceeded, and ſaid, Here you ſee, my Lords and Gentlemen, that his Majeſty, moved by this Council, applied himſelf accordingly for the Defence of the Realm, the ſecuring of *Ireland*, the aſſiſting our Neighbours, the States of the *United Provinces*, and other our Friends and Allies.

'And for the ſetting forth of the Navy Royal, the King, looking into his Purſe, ſaw enough to do all the former Actions, but not the latter: For when he came to conſider the Navy, there was neither Money nor Preparations; yet, looking upon the Affairs of *Chriſtendom*, he found this the moſt neceſſary. Hereupon his Majeſty, of famous Memory, did his Grace that Honour as to write to him from *Newmarket* to *London*, a Letter to this Effect, 'That, obſerving foreign Affairs, he found it neceſſary that a Royal Fleet ſhould be prepared, and put in Readineſs; but that he had no Money: Wherefore his Lordſhip and his Friends muſt lay out, and, no doubt, others would follow. And, by this Means, the King might the longer lie concealed and undiſcovered in the Enterprize, as bearing the Name of the Subjects only; and other Princes, in hopes to draw him on, would ſooner come to the Buſineſs.'

'That, upon this Letter, his Grace leap'd into the Action with all Alacrity; and, having received all he had from his Majeſty, was deſirous, and held it a Happineſs, to pour it out again upon his Service and Occaſions. But this he did not on his own Head, but fortified by the Advice and Counſels of theſe worthy Perſons, the Lord *Conway*, the Lord *Chicheſter*, Lord *Grandiſon*, Lord *Carey*, Lord *Brook*, Lord *Ley*, Sir *Robert Manſell*, and Sir *John Cook*.'

'Their firſt Conſultation was of a War, the next of the Means; but both the one and the other was juſtified by more than himſelf. He never did any Thing but by them, nothing was ever reſolved or altered but in their Company; for either he repaired to them, or elſe they did him that Honour,

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nour, as his Grace term'd it, to resort to his Chamber. And, when all was digested and prepared, and that they came to proportion Time and Levies, then, with the King's Leave, the Business was imparted to all the Lords of the Council; the Account was made to them, and allowed by them; who said there openly, his Majesty being present, That if this was put in Execution, it would do well; and gave some Attributes to it.' An. 1 Charles I. 1625.

Here Sir *John Cook* justified the shewing and approving of their Accounts, at the Council Table; that those Accounts consisted of long Particulars for Soldiers to be levied, Mariners to be pressed, Forwardness of the Ships and Provisions, and that nothing was wanted but Money; and that he had all those Particulars ready to be shewn to the House of Commons, if they should require them.

His Grace then proceeded and shewed, 'That he was so religious to guide these great Affairs by Counsel, that, at his Journey into *France*, which fell out about this Time, he desired his Majesty to recommend the Business to a select Committee of the Council; which his Majesty did to the Lord Treasurer, the Lord Chamberlain, the Lords *Conway* and *Brook*, who, in his Absence, took Care of the same. This his Grace thought fit to tell their Lordships, that they may see by what Counsel this great Business was carried; and that, in all the Management thereof, he took no Steps but by their Approbation.'

Question 2. *Why did not his Majesty declare the Enemy presently, upon the granting of the two* Subsidies?

Answer. 'His Majesty considered the State of *Christendom* at that Season, and found it full of Danger to declare the Enemy, for three Reasons: *First*, Because that great Enemy would be more prepared. *Secondly*, *Spain*, being the Enemy, our Merchants would be embargoed, who are now drawn home. *Thirdly*, Our Friends, finding us so long unprepared, after our Declaration, had despared,

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An. 1 Charles I. 1685.

ſpaired, and never believed any Thing of our Intentions.'

Queſt. 3. *Whether this vaſt Sum of* 300,000 *l. beſtowed upon the Navy, together with* 40,000 *l. more to be now employed, and* 60,000 *l. at the Return, be ſo frugally huſbanded as was fit?*

Anſwer. 'That his Grace refers to Sir *John Cook's* Accounts, which the Houſe of Commons may peruſe; and when Sir *John* has done, the particular Officers ſhould be ready to juſtify it with their Accounts.'

Here Sir *John Cook* interpoſed, tho' he had already ſhewed this Account, and ſaid, 'That the Duke had laid out of his own Money 44,000 *l.* and the Treaſurer of the Navy, at his Requeſt, above 50,000 *l.*' To this his Grace added, 'That all this borrowed Money was managed, by the proper Officers, as if it had iſſued out of the Exchequer, and had not been borrowed elſewhere.'

Queſtion 4. *Whether a conſiderable Sum of Money be yet required?*

Anſwer. Forty thouſand Pounds is yet neceſſary; but that our Maſter was quite exhauſted; his Treaſure anticipated, his Lands engaged, his Plate offered to be pawn'd, but not accepted; and yet his Majeſty muſt be maintained.'

Queſt. 5. *Whether this Fleet was ever intended to go out or not?*

Anſwer. 'There has been ſome flying Rumour to that Effect. But what Policy was it in the King, with the Charge of 400,000 *l.* only to amaze the World, cozen his People, and put you to ſuch a Hazard? What ſhould he get by an Act that ſhould make him bluſh when he met his Parliament again? Certainly the King would never employ ſuch a Sum, but when the Affairs of *Chriſtendom* made it neceſſary to do it; and it was done with an Intention to ſet it out with all the Speed poſſible.'

Queſt. 6. *Why was not this Want of Money foreſeen in the firſt Project of the whole Service; but now*

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now only thought upon unexpectedly, and dangerously, considering the Sickness: Why not before the last Adjournment, whereby we are called upon at so unseasonable a Time? An. 1 Charles I. 1625.

Answer. 'It was foreseen before, but interrupted by unfortunate Accidents. *First*, The Death of the late King. *Secondly*, The Funeral; which for Decency's Sake, could follow no sooner. *Thirdly*, The Journey into *France*, and the Marriage; which procured more Delays than were expected, but were necessary.'

'Since the Opening of this Parliament, his Majesty declared his Necessity; and told you plainly, That this Sitting must not be for Counsel, but Resolution. And when he received the Grant of the two *Subsidies*, he understood that Money to be but a Matter of Custom, to welcome him to the Crown; and intended, when they were presented to him, to dilate more at large, as afterwards he did by Sir *John Cook*.'

Quest. 7. *Who gave the Counsel to meet so suddenly, when the Sickness was so dangerously spread?*

Answer. 'His Majesty commanded him to say, That it was the Business itself that gave the Counsel, with the Necessity of it, else the King would not have hazarded the two Houses, and the rest of the Kingdom, by its spreading. If he had been able any way, without your Help, to have set out the Navy, he would have done it, and relied upon you for a Supply afterwards.'

'If it be a Fault, as I see none, said the Duke, why should the Realm and the Occasions of the State of *Christendom* suffer for it? If it be undertaken for your Good and the King's Honour, now in building, as also for the State of *Christendom*, why should a particular mean Fault make it miscarry? I hope your Wisdom will so pierce thro' it, as to set the Affair forward.'

Quest. 8. *Why should not the King help on this Occasion with his own Estate?*

Answer, 'Judge you whether he does not; for, observing the great Gift you gave the Session before

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An. 1 Charles I. 1625. laſt, he was unwilling to take any more from you, and laid out all his Eſtate upon the Enterprize; and will do ſo again, when he ſhall be enabled?

Queſt. 9. *Is not the Time of the Year too far ſpent for the Navy to go forth?*

Anſwer. 'The King anſwered this the laſt Day; *Better half the Navy ſhould periſh, than the Going forth thereof ſhould be ſtopped.* It would ſhew ſuch Want of Counſel and Experience in the Deſign; ſuch Want of Courage, Weakneſs and Beggarlineſs, in not being able to go thro' with it. And, for the Time, there were only three Ends purpoſed by this Service, and the Time of the Year is yet ſeaſonable for any of them. He could demonſtrate the ſame, if the Deſign was to be publiſhed; which your Wiſdom would not think fit to have done.'—Here the Duke ſaid he would ſatisfy the Houſes in ſome other Things.

Queſtion 10. *Whether theſe eight Ships, lent the* French *King, to be employed againſt the* Rochellers, *were not paid with the Subſidy Money?*

Anſwer. 'Theſe eight Ships were, *firſt*, employed at the Charge of the *French* King. *Secondly*, It is not always fit for Kings to give Account of their Counſels. Judge the Thing by the Event.'

Queſt. 11. *Whether, having been employed to break with* Spain, *the Duke made not a worſe Match with* France, *and upon harſher Conditions?*

Anſwer. 'He hoped the contrary would appear by the King's Anſwer to their Petition; and he aſſured them his Majeſty had broken no Public Faith in giving the ſaid Anſwers.'

Queſt. 12. *Did not the Duke ſerve us in breaking the Peace with* Spain, *out of particular Spleen and Malice to Count* Olivares?

Anſwer. 'There was no Cauſe for him to hate *Olivares*; he was the Means to make his Grace happy; for out of his Hands, his Grace gained the Love of a Nation, which before thought not ſo well of him. He is not vindictive in his Temper; he can forgive thoſe who had no ſuch natural Reſpect to that Country as *Olivares* had. Neither doth

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doth his Grace love that any Man ſhould be an Inſtrument, by ill Means, to do a good Action; as *Olivares* intended to do, to ſerve his Maſter and Kingdom, by indirect Means. And he can further prove that he is not vindictive, for he could forgive one of our own Nation who concurred with *Olivares*. But he thought proper to let that Buſineſs ſleep; which, if it ſhould awake, would prove a Lion to devour him who was the Author of it; meaning one of our own Nation who co-operated with *Olivares* (o). An. 1 Charles I. 1625.

Queſt. 13. *Will it not be objected, That hitherto the Duke ſpeaks of nothing but immenſe Charges, which the Kingdom is not able to bear; as, to the King of* Denmark, 30,000 *l. a Month; to Count* Mansfield, 20,000 *l. to the* Low Countries, 8000 *l. to* Ireland, 2600 *l. a Month; beſides the backing of the Fleet with a Supply, for which twelve of his Majeſty's Ships are now in preparing?*

Anſwer. 'Make the King chief of the War, by a Diverſion of this Kind, and he will give a greater Advantage to all his Allies, than by allowing 50,000 *l.* nay 100,000 *l.* a Month. What is it for his Allies to ſcratch with the King of *Spain*; to win a Town To-day, and to loſe it To-morrow? It is almoſt impoſſible to hope for a Conqueſt of this Kind, the *Spaniſh* King being ſo able by Land: But let the King, our Sovereign, be Maſter of the Wars elſewhere, and make a Diverſion; and let the Enemy be compelled to ſpend his Money and Men in other Places, and our Allies, in theſe Parts, will be ſuddenly and imperceivably ſtrengthened and enabled; and, by this Kind of War, (which is certainly meant a Naval one) you ſend no Coin out of the Land; you ſend nothing but Beef, Mutton (p), and Powder; by which the Kingdom is not impoveriſhed, but may make good Returns.'

Queſt. 14. *But where is the Enemy?*

Anſwer.

(o) The Earl of *Briſtol.*

(p) The *Journals* and *Ruſhworth*, ſay *Mutton*; but it ſhould ſeem rather to be *Pork.*

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An. 1 Charles I. 1625.

Anſwer. 'Make the Fleet ready to go out, and the King had given him Command to bid you name the Enemy yourſelves. Put the Sword into his Majeſty's Hands, and he will employ it to your Honour, and the Good of true Religion. As you iſſue nothing that is loſt, ſo it will bring home ſomewhat again; and from henceforth maintain the War by the Perquiſites thereof. Make but once an Entrance, it may afterwards be maintain'd with Profit. When the Enemy is declared, you may have Letters of Marque; none ſhall be denied. And I have not been ſo idle, ſays his Grace, but I ſhall make Propoſitions for venturing; whither yourſelves may go, and may have the Honey of the Buſineſs.'

Laſtly, The Duke told us, 'That the King commanded him to admoniſh the Aſſembly to take Care of the Seaſon and their own Health; for, if they loſt Time, no Money could purchaſe it again. His Grace concluded with this Apology: If, in this Relation, thro' my Weakneſs, I have injured the King's Affairs and thoſe of the State of *Chriſtendom*, I crave your Pardon: My Intentions were good.'

It has been thought proper to tranſcribe the whole of this long Report from the *Journals* of the *Lords*, ſince it is very incorrectly given in *Ruſhworth*; and many Omiſſions made, not quite conſiſtent with the Credit or Character of an exact Collector, as any Reader may find, who will take the Trouble to compare both. We next proceed to give the reſt of the Lord Keeper's Report, concerning what the Lord High Treaſurer ſaid at the Crnference, relating to the King's Eſtate.

The Lord Treaſurer's Account of the King's Eſtate.

'The Treaſurer produced a Paper, wherein he had ſet the ſame down, according as his Memory and the Time would permit him on the ſudden. And he divided the ſame into three Parts: 1. The Eſtate the late King left. 2. The Eſtate the King now ſtands

ſtands in, 3. How it will be in the future. And the firſt of theſe he again divided into other three Parts; the late King's Debts; Anticipations; and Engagements.' An. 1 Charles I. 1625.

1. 'His Debts were to the City of *London*, and ſome Gentlemen, borrowed upon the Privy Seal and Lords Bonds, 120,000 *l.* beſides growing Intereſt. The Wardrobe, 40,000 *l.* at the leaſt, Part whereof is due to poor People. To the King of *Denmark*, 75,000 *l.* and the Intereſt; which was borrowed for the *Palatinate*. Arrears for Penſions, a large Sum, but not caſt up. To his Houſhold, a great Sum; which his Lordſhip left to the Officers thereof to relate to the Commons.'

'The Anticipations made by the late King of his Rents, before they were due, came to 50,000 *l.* which was preſently beſtowed on this Occaſion, the Fleet.'

'His Engagements were, for the Pay of 6000 Foot in the *Low Countries*; of 10,000 Foot under Count *Mansfield*; and for the Rigging, Victualling, and Providing this great Navy, not the like in our Memory.'

2. 'Concerning the State of the King, as it now ſtands, his Lordſhip divided the ſame into Debts and Diſburſements, which he defrays out of his own Coffers; that his Father's Debts, Anticipations, and Engagements, lie ill upon him. His own Debts, as Prince, come to 70,000 *l.* at the leaſt, it is feared 90,000 *l.* For Payment whereof his Majeſty hath engaged thoſe Lands he then had, and the Commiſſioners Bonds. This great Occaſion brought his Majeſty, when he was Prince, thus into Debt; for he then gave 20,000 *l.* to the Navy, and 20,000 *l.* to Count *Mansfield*, beſides other great Gifts that Way; whereas, before, he owed very little, to his Lordſhip's own Knowledge.'

'The King's Diſburſements defrayed out of his own Coffers; to the King of *Denmark*, 46,000 *l.* to the Soldiers at *Plymouth* and *Hull*, 16,000 *l.* for Mourning and Funeral, 12,000 *l.* paid, and 16,000 *l.* to pay. Expences of the Queen's Entertainment,

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An. 1 Charles I. 1625. tainment of Ambaſſadors in Diet and Gifts, 40,000*l.* advanced to the Queen, 50,000*l.* to the King and Queen of *Bohemia*, 11,000*l.* to the Navy, 300,000*l.* and 100,000*l.* to be diſburſed, *viz.* 40,000*l.* now, and 60,000*l.* at the Return.'

3. 'The King's Eſtate, for the future, as in Charges of Continuance, conſiſted of ten Articles. 1. Of Debts unpaid, and Intereſt. 2. Old Anticipations of 50,000*l.* 3. Anticipations of new, 200,000*l.* taken up by himſelf, to the emptying of all his Coffers, even of that which ſhould maintain him with Bread and Drink from this Day forward. 4. To the King of *Denmark*, 30,000*l. per Menſem.* 5. To Count *Mansfield*, 20,000*l.* 6. To the *Dutch*, 8000*l.* 7. To *Ireland*, 2600*l.* 8. The Queen's Allowance and Diet, 37,000*l.* all *per Menſem.* 9. To the King and Queen of *Bohemia*, 20,000*l. per Annum.* 10. Preparations for Defence of the Realm, and ſeconding the Navy.'

'The Lord Treaſurer alledged, That certain Sums were omitted, becauſe they were uncertain, and before his Time. That no Total was caſt up, becauſe he had no Auditor; and promiſed that himſelf, or his ſubordinate Officers, would be ready to give Satisfaction of all or any of theſe Particulars.

The Lord Keeper having ended this long Report, which was the Buſineſs of a whole Day, the Lords expreſſed their Approbation of it, and ordered it to be entered on their *Journals*.

As it hath hitherto been the Purport of theſe Enquiries to ſtate the Matters of Fact as they happened, and leave them to the Reader's Judgment for Reflection, ſo here we ſhall do the ſame; tho' there's Room for a long Chain of Arguments on the aforegoing Report; in which the young King and his Miniſters have, ſeemingly, laid themſelves, and the Affairs of State, as naked and open, as the Circumſtances of the Times could poſſibly bear: However, it will ſoon be found to have been of no Availance with the Commons.

On

On the very same Day with the former, *Aug.* 9, a Report was made in that House of what had been delivered at the Conference, by the Recorder of *London*, the Sollicitor-General, and Mr. *Pymm*. This Report was divided, as before in the Lords, into three Heads: The King's Answer to their Petition about Religion; the Duke's Account of the Fleet, *&c.* and the Lord Treasurer's Conclusion. But it is all so lamely inserted in the *Journals* of the *Commons*, and such great *Hiatus's* made in the Recital, that it is impossible to make any thing of the Matter. The last Part of the Report was given by Mr. *Pymm*; a Name not mentioned before in the Course of this Work, tho' it has been often met with in the latter Parliaments of King *James*, as well as in this; yet not hitherto engaged in any thing material enough for our Notice: But, if this is thought any Slight to the Memory of that great Patriot, it will be amply made up in the Sequel. An. 1 Charles I. 1625.

One Particular is mentioned in the Commons *Journals*, not taken Notice of in the Lords; which was, That the Lord Treasurer told them, 'That since their House had first taken Care of Religion, and had received so gracious an Answer to it; therefore they ought now, speedily, to think of a Supply; not of his Majesty's Wants, but of those for the Defence of the Kingdom.'

The Report as above, being delivered, Mr. *Maynard*, afterwards the famous Serjeant *Maynard*, stood up, and told the House, 'That it was an easy Matter to infest the King of *Spain*; but he did not like the vast Charge now demanded, which was not to be supported by the Kingdom. That he was not for a War by Land, but by Sea; and there not with Letters of Marque, but for an open War. Was for recommending to his Majesty the Way to live gloriously at home, and how to be feared abroad; by having his Designs better managed, and an Enemy declared. Was against *Subsidies* in Reversion; but would willingly give, if he knew how; for giving, he said, was adding *Spurs to the Sea-Horses*. Moved Debates in the Commons thereupon.

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An. 1 Charles I. 1625. ved for a general Committee to go on these Matters the next Day.'

On the other Hand, Mr. *Mallet* said, 'That it was not proper at this Time to stand too much upon Precedents. That it was plain the House did not regard them, when they tended to straiten the King's Revenue: For, in the Act of Tonnage and Poundage, which was always, since *Henry* VI's Time, granted for Life, it is limited now but to the 25th of *March* next, contrary to former Precedents. He moved for a Consideration of the Danger, which might grow by not contenting the King in his just Desires this Parliament.' Others moved for a grand Committee to go upon these Matters the next Morning at Eight of the Clock; which was agreed to.

August 10. Some Naturalization Bills being read, the Chancellor of the Exchequer delivered a Message to the House from the King to this Effect:

The King's Message to hasten the Supply.

'That his Majesty, understanding this House intended to enter into Consideration of divers 'Heads, concerning the King and Common-'Wealth, had sent him by this Message: That he 'was well pleased with their good Intentions; 'but desired them to consider that his Affairs re-'quired a speedy Dispatch. That tho' this Season 'was far spent, it was yet seasonable; and, if the 'Plague should begin in the Navy, the Action 'would be lost; or, if any here should be touched 'with the Sickness, much Inconvenience would 'ensue by an abrupt breaking up. Therefore he 'desired a present Answer about his Supply: If not, 'he will take Care of their Healths more than they 'themselves, and make as good a Shift for his pre-'sent Occasions as he could: But, if they would 'now comply, he gave them his Royal Word, 'that in Winter, at what Time they should chuse, 'they should meet again, and hold together till 'they had perfected all those Things for the King 'and Common-Wealth, which are now before 'them. To all which he promised to give such

I Answers,

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'Anſwers, as dutiful and loyal Subjects might expect from a gracious and religious King. *Laſtly*, The King deſired them to conſider, *That this was the firſt Requeſt he ever made unto them.*' An. 1 Charles I. 1625.

The Debates on this Meſſage, and the Supply were this Day very long, above 30 different Members ſpeaking in them: The moſt material of whoſe Arguments, *pro* and *con*, we ſhall collect, and give as follows:

Debate thereon.

The Courtiers argued, 'That the Reputation of both King and Kingdom, in Point of Honour, was at Stake. That the Preparations now making for War, muſt have their Movement from Parliament. The Conſideration of the diſaſterous State of the King's Royal Siſter; and of Religion in great Danger abroad, which ſuffered alſo at home. Conſideration of their Confederates; who would fall aſunder, if their King did not hold them together. The Danger of King, Lords, and Commons, by the Sickneſs, by a longer Continuance.' Sir *Roger North* ſaid, 'That he was once againſt giving any thing at this Time; but had now altered his Opinion, by his Majeſty's moſt gracious Anſwer about Religion; alſo becauſe it was his firſt Requeſt: Beſides the Conſequence of an ill parting, this Parliament, would be a Thing very acceptable to the *Papiſts*. Moved for two *Fifteenths* to be added to the two *Subſidies*.' Another ſaid, 'That Precedents were neither to be deſpiſed, nor adored as Gods. That in the firſt Parliament of the late King, two *Subſidies* were granted, and four *Fifteenths*; within a Month after, one *Subſidy* more was given in the ſame Seſſion. If all our greateſt Enemies were here, they would refuſe to give; to give now, becauſe they could not, at another Time, give towards this Supply. To leave now their Fears, Jealouſies, and Diſguſts at home, and to rely upon the King's Promiſe for their next Meeting to reform ſuch Things. Thoſe Diſorders complained of, did not happen in this King's Time; that he, both in his Father's and his own Time, had aſſured them

of

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An. 1 Charles I. 1625. of his Desire and Resolution to reform those Things. Moved for a short Question, Whether we will give at this Time, or not.'

The Arguments, *per contra*, were these; Sir *Robert Philips* said, 'That the Point now before them, by the King's last Message, might be reduced short to this; either to give presently, or else that, in respect of Danger to us, he will adjourn us to some other Time. That the Arguments for giving were Honour, Necessity, and Safety; not honourable Actions, grounded upon sound Counsels. That Necessity had been the continual Argument for Supply in all Parliaments; but the Counsels, which had put the King, and the present great Designs into this Hazard; whoever gave them, must answer it. Moved that the present Necessity might be supplied by some other Means, rather than by so dangerous a Precedent. That a Committee might be appointed to consider of a fit Answer to the King, why they could not now give; and yet to assure him, that they would, in due Time, supply all his honourable and well-grounded Designs.' Sir *Francis Seymour* said, 'It was strange that the Commons of *England* should be called thither only for a Supply of 40,000 *l.* and it shewed the King's Necessities were great. What was become of all the Money raised by the Act of Resumption of the Crown Lands? That 140,000 *l.* had been also raised by Places of Honour; Places of Justice were sold, and Serjeants Places; which must come to a greater Sum.' Others argued for giving, so that it might be in a Parliamentary Manner. But Sir *Thomas Wentworth* said, 'That he feared the pressing this Precedent for so small a Sum, was to take the Advantage of it for greater Things hereafter. Was against present giving; but most ready and willing to give in due Time.' Sir *Heneage Finch* argued, 'That the granting of *Subsidies* in Reversion, as the Clergy had done, was to bind and give for our Executors, as they had for their Successors. He disliked their drawing hither; and wish'd

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they might never hereafter be put upon such Rocks: Yet was for giving them, in respect of the King's Answer to their Petition about Religion; the rather, because he had said it was not done to draw us on: But to do this with great Caution, and with a Protestation never to do the like, upon any Necessity hereafter.' Others again were more violent: Mr. *Rolle* said, 'That the King could not but have Credit, without their Grant, for 40,000*l.* That if the Necessity for Money was now so great, this was the Time to press for Redress of Grievances. That *Turkish* Pirates take our Ships and Men, and endanger our Sea-Coasts; which were forced to arm to defend themselves.' The last Speaker, on this Side, we shall mention, was old Sir *Edward Coke*; who began again with his Leaks, and said, 'That two would drown any Ship. That *solum & malum Concilium* was a bottomless Sieve. An Officer should not be *Cupidus alienæ Rei, parcus suæ*; *avarus Reipublicæ*; *super omnia expertus. Misera Servitus est, ubi Lex incerta aut incognita.* That in the 11th of *Henry* III. *Hubert de Burgh*, Chief Justice, advised the King that *Magna Charta* was not to hold, because the King was under Age when that Act was made. He was Earl of *Kent*, but degraded for this some Time after. In the 16th of *Henry* III. *Segrave*, Chief Justice, was sentenced for giving sole Counsel to the King against the Common-Wealth. That it was *malum Consilium* to press more *Subsidies* when they had given two. To bring them thither only for 40,000*l.* And, *Lastly*, offered to give 1000*l.* out of his own Estate, rather than grant any *Subsidy* now.' An. 1 Charles I. 1625.

These Reflections were aimed directly at the Prime Minister, and are bolder than any that fell in this Day's Debate. The Result of all which was, a Resolution was agreed on, 'That a Committee of the whole House should be appointed, at Eight 'o'Clock the next Morning, to consider what 'Return to make to his Majesty's Message of this 'Day.'

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An. 1. Charles I. 1625.

August 11. Notwithstanding Yesterday's Resolution, we find no Mention of the Messuage in the next Day's Proceedings; instead of that, the House went upon a Complaint made against Sir *Francis Stewart*, an Admiral, for suffering a Pirate to take an *English* ship before his Face. That the Merchants acquainted him with this, and desired him to go out and chace the Pirate; who answer'd, That his Commission was not to go on the *French* Coast, where he conceived the Pirate was. He confessed that he saw the Pirate board the *English* Ship, but thought they had been Fishermen. That, in Conclusion, tho' he was offered great Sums of Money, or Half the Goods in the Ship, yet he refused to go out.

The Commons proceeded in the Consideration of Grievances, and postpone the Supply.

Sir *Edward Coke* moved for a Committee to be appointed for this; and afterwards to acquaint the Lords with it. Sir *Francis Seymour* said, 'That the Lord Admiral, *Buckingham*, had the Care of these Things; therefore the Default must needs be in him or his Agents. And moved for a Committee to consider of the Causes thereof, and where the Default lay.' 'Mr. *Lister* mentioned the Wrongs done to our Trade by the *Dunkirkers*; and therefore moved that the Committee to be appointed might, in a general Way, consider of this, and the Safety of all the Sea-ports.' Others agreeing in this, a Committee of the whole House was appointed to take these Matters into Consideration, and they to have Power to name a Sub-Committee.

The rest of this Day's Work was taken up with a long Repetition of the Pardon to the *Jesuits*, &c. and of their desiring a Conference with the Lords, in order to induce them to join in a Petition to the King, to beseech him not to be importuned hereafter by any foreign Ambassador, to grant any thing contrary to the Answers to their former Petition. On which Sir *Robert Philips* observed, 'That no *Popish* King would, at the Instigation of our Ambassadors, release any Person out of the *Inquisition*.' A Conference with the Lords, on this,

was

was agreed upon and held, and Sir *Edward Coke* made the Report of it to their House. An. 1 Charles I. 1625.

After repeating what is said before, about obtaining the Pardon from the King, he told them, 'That the Lords had resolved to move the King, never to pardon any *Jesuit*, or other *Papist*, till they were attainted. For their joining in the Petition, they denied it not; but, considering his Majesty's gracious Answer to their other Petition about Religion, and that both Houses were to give him Thanks for it, the Purport of this last might only be intimated to the King; which the Lords pressed them to consent to. That he had declared the Satisfaction of that House, touching the Pardon and the Date thereof, and the Lord *Conway's* Letter. *Lastly*, That all the Lords were most hearty in the Point of Religion.'

In this Manner stood Affairs in both Houses; when the next Day, *August* 12th, a Protestation was unanimously agreed upon, by the Commons, in a Grand Committee, which was reported to the House, ordered to be entered in the Clerk's Book, and presented to his Majesty with all convenient Speed, by all the Members that were of the Privy Council, with Sir *John Fullerton*, and Sir *Robert Carr* attending them. Immediately after this, the Gentleman-Usher of the Black Rod came to call the House, and the Speaker to come up to the Lords, to hear a Commission from the King, read to both Houses: Which was done accordingly.

Thus far the *Journals*.—But *Rushworth* proceeds to tell us, That the King, perceiving the Commons resolved against a Supply, without Redress of Grievances; and, in their Debates, to reflect upon some great Persons near himself, on the 12th of *August*, sent to the House of Peers a Commission, directed to several Lords, for the Dissolution of the Parliament. And the Speaker, with the other House, being sent for, the Commission was read before them all; and this Parliament was declared to be dissolved. Whereupon the King dissolves the Parliament.

An. 1 Charles I. 1625. Thus the latter Seſſion of this Parliament came to an End, without any manner of Buſineſs being concluded in it. The firſt had only nine Acts paſſed, all of them of no Conſequence to this Hiſtory, except the Acts for *Subſidies* from the Clergy and Temporality, already mentioned; and an Act, as uſual, That this Seſſion of Parliament ſhall not be ended, notwithſtanding the King's Aſſent to theſe and ſome other Acts. The Proteſtation of the Commons, mentioned above, is not in *their Journals*; but is preſerved by *Ruſhworth*, and ſome other Hiſtorians of thoſe Times; which, being ſingular in its Kind, full of loyal and dutiful Expreſſions to their Sovereign, deſerves particular Notice at this Juncture.

The Commons Proteſtation.

'WE the Knights, Citizens, and Burgeſſes 'of the Commons Houſe of Parliament, 'being the repreſentative Body of the whole Com- 'mons of this Realm, abundantly comforted in his 'Majeſty's late gracious Anſwer touching Religion, 'and his Meſſage for the Care of our Health, do 'ſolemnly proteſt and vow before God and the 'World, with one Heart and Voice, that we are 'all reſolved, and do hereby declare, that we will 'ever continue moſt loyal and obedient Subjects to 'our moſt gracious Sovereign Lord King *Charles*; 'and that we will be ready, in convenient Time, 'and in a Parliamentary Way, freely and duti- 'fully to do our utmoſt Endeavours, to diſcover 'and reform the Abuſes and Grievances of the 'Realm and State; and in like ſort to afford all 'neceſſary Supply to his moſt Excellent Majeſty, 'upon his preſent, and all other his juſt Occaſions 'and Deſigns; moſt humbly beſeeching our ſaid 'dear and dread Sovereign, in his princely Wiſdom 'and Goodneſs, to reſt aſſured of the true and hearty 'Affections of his poor Commons, and to eſteem 'the ſame to be (as we conceive it is indeed) the 'greateſt worldly Reputation and Security that a 'juſt King can have; and to account all ſuch as 'Slanderers of the Peoples Affections, and Ene-

mies

'mies to the Common-Wealth, that ſhall dare to ſay the contrary.' An. 1 Charles I. 1625.

It is plain that the Antipathy the Commons had then taken againſt the Prime Miniſter, was the Occaſion of their Slackneſs in granting Supplies, tho' Things were not yet come to that Maturenes as to exhibit Articles againſt him. The Anſwers he had given to the Objections, about his Conduct of the Fleet, were, no doubt, ſatisfactory to ſome; but, we are told, there were others in the Lower Houſe, who were his ſecreet and cloſe Enemies; and could, at any Time, conjure up, under the Name of Religion and Grievances, Quarrels, which they even managed to the Diſſolution of the Parliament itſelf (q).

But, whoever had the Management of the Helm of Government at this Time, it is certain they ſteered very ill. The King, when Prince, may be ſaid to have ſerved an Apprenticeſhip to Parliaments (r); and, by his conſtant Attendance there, in his Father's Time, where he often did good Offices between the King and them, muſt have acquired an entire Knowledge of thoſe auguſt Aſſemblies. How he came to take ſuch Meaſures, as theſe and other ſucceeding ones, at the very Beginning of his Reign, is a Secret not yet unfolded in Hiſtory. The Favourite muſt be the Cauſe; who, to ſave himſelf, precipitated his Prince to take ſuch Courſes as might have ended in the Ruin of them both at that Time; but, no doubt, gave a great Handle to the ſecret Enemies of the Church and Monarchy, to lay their Schemes for the entire Deſtruction of thoſe ancient Pillars of the *Engliſh* Conſtitution. Remarks thereon.

The Parliament being diſſolved, the King carried on his Schemes of War, and reſolved the Fleet ſhould put out to Sea; notwithſtanding he wanted Money to ſupport it. The Houſe of *Auſtria*, at The King purſues his Deſigns for War;

(q) *Franklyn's Annals*, p. 113.
(r) See before, p. 351.

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An. 1 Charles I. 1625. that Time, inveſted both with the *Imperial* and *Spaniſh* Diadems, was the Object this War was levelled at. He enters into a ſtrict Alliance with the States of the *United Provinces* againſt them; and actually ſent out a Fleet of 80 Sail, with 10 Regiments on board, in an Expedition againſt *Cadiz*. The ill Succeſs of that Enterprize is attributed to the Soldiers getting drunk with ſweet Wines, and to an infectious Diſtemper which ſpread amongſt them, and carried off great Part of the Fleet. However it was, the Commanders of this Expedition brought home no Laurels with them; but returned, inglorious, about the Middle of *November* this Year; as is more particularly related by our general Hiſtorians.

While this Enterprize was carrying on abroad, the King ſet about performing his Promiſe made to Parliament, in Religious Affairs. A Proclamation was iſſued out for calling home all the Children of *Popiſh Recuſants*, ſent out for foreign Education, or otherwiſe. Likewiſe all *Engliſh*, *Scotch* and *Iriſh* Soldiers, who had entered into the Service of the *Emperor* and King of *Spain*, were recalled. The Archbiſhops of both Provinces were required to proceed ſtrictly againſt all *Popiſh Recuſants* in their Diſtricts, by Excommunications and other Cenſures of the Church; and, by another Proclamation, they were commanded not to ſtir above five Miles from their own Homes, and were alſo effectually diſarmed. But theſe Sugar-Plumbs did not ſerve to ſweeten other Courſes, which the King and the Miniſtry thought fit to take at the ſame Time.

And iſſues a Proclamation againſt Recuſants.

The Diſſolution of the Parliament having prevented any Hopes of a Supply from that Quarter, and the Treaſury wanting Money to defray the extraordinary Charge of Fleets and Armies; the Miniſter fell upon another Way of raiſing Supplies, not unprecedented, yet never done but when ſome unfortunate Difference happen'd between King and Parliament. Accordingly Letters were directed to the Lord Lieutenants of the ſeveral Counties, for borrowing ſo much Money from People

able

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able to lend, as might discharge the present Occasions. The Tenor of which Letters were as follows: An. 1 Charles I. 1625.

Right Trusty and Well-beloved, &c.

Letters from the Council for raising Money by way of Loan.

IT has been so usual a Thing for Kings and Princes of this Realm, to make Use of their Subjects good Affections, by borrowing some such competent Sums of Money of Persons able to lend, as might supply those present Occasions for public Service, which cannot attend that Length of Time wherein it can be raised by Contribution by the Generality of our Subjects. As we have not only present Occasion to make the like Trial, by borrowing from some private Gentlemen and others, but also of your Sincerity and Endeavours in furtherance of the Service: That is to say, in taking some Course, either out of your own Knowledge and Experience, or by any other Means or Instruments which you like best, to make Collection of as many Persons Names within the County wherein your are Lieutenant, as may be of Ability to furnish us with several Sums at this Time; and thereupon to return in a Book, both the Names of the Persons, their Dwellings, and what Sums you think they may spare, that we may thereupon direct our Privy-Seals unto them, according to the Form of this inclosed.

And for your further Instruction in this Case, on whose Trust we do so much repose, we wish you to advise herein with your Deputy Lieutenants, as those from whom we have special Cause to promise ourselves all good Offices of Duty and Affection. To which we must add thus much further, That we do not intend at this Time to deal with any Nobleman; neither are you to deal with any of the Clergy, because we have reserved that Direction to the Metropolitans of the several Provinces, to proceed only with some special Persons, that are known to be Men of Wealth and Ability, and not meerly subsisting upon those Livings, which, in most Places, are far inferior to that Maintenance we could wish them. By which Course, and Consideration of ours, tho' you may perceive how much

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An. 1 Charles I. 1625. *we desire to procure this Loan without Inconvenience to any, which is only intended for the Service of the Public, yet must we assure you, that we had no greater Cause at any Time than now, to make Use of your Integrity and Industry, in respect of your Election of the Lenders, and of your constant Demonstration, both of Diligence and Affection to the Service. Having now delivered unto you as much as for the present can be expected from us, we will refer you for any further Direction unto our Privy Council, as hereafter Occasion shall require. To whom our Pleasure is, you do return your Certificates, in Manner and Form, as is aforesaid, at the most, within twenty Days after the Receipt of these our Letters.* Given at, &c.

The Comptroller of the King's Household, by the Council's Order, issued forth Letters in the King's Name, under the *Privy-Seal*, to the several Persons returned for the Loan of Money, in Form as followeth:

Trusty and Well-beloved, &c.

HAVING observed, in the Precedents and Customs of former Times, that all the Kings and Queens of this Realm, upon extraordinary Occasions, have used either to resort to those Contributions, which arise from the Generality of Subjects, or to the private Helps of some well-affected in particular, by way of Loan. In the former of which Courses, as we have no Doubt of the Love and Affection of our People, when they shall again assemble in Parliament; so, for the present, we are enforced to proceed in the latter Course, for supply of some Portions of Treasure for divers public Services; which, without manifold Inconveniences to us, and our Kingdom, cannot be deferred. And therefore, this being the first Time that we have required any thing in this Kind, we doubt not but we shall receive such a Testimony of your good Affection from you, amongst other of our Subjects, and that with such Alacrity and Readiness, as may make the same

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some so much the more acceptable; especially, seeing we require but that Sum, which few Men would deny a Friend, and have a Mind resolved to expose all our earthly Fortune, for Preservation of the general. The Sum which we require of you, by these Presents is, ——————; *which we do promise, in the Name of us, our Heirs and Successors, to repay to you, or your Assigns, within eighteen Months after the Payment thereof unto the Collector. The Person whom we have appointed to collect it, is* ——————; *to whose Hands we do require you to send it within twelve Days after you have received this Privy-Seal; which, together with the Collector's Aquittance, shall be sufficient Warrant unto the Officers of our Receipt, for the Repayment thereof, at the Time limited.* Given at, &c. An. 1 Charles I. 1625.

Pursuant to this Privy-Seal, the Monies required were generally according to the Proportion following, *viz.*

For the West-Riding of *Yorkshire.*

Sir *Thomas Wentworth*, 20*l.* Sir *Francis Fuljamb*, 20*l.* Sir *John Jackson*, 20*l.* Sir *Edward Osborne*, 30*l.* *Godfrey Copley*, Esq; 15*l.* Sir *Ralph Hansby*, 15*l.* *Robert Portington*, Esq; 10*l.* *Stephen Bright*, Esq; 10*l.* *George Westby*, Esq; 10*l.* Sir *John Ramsden*, 15*l.* *John Armitage*, Esq; 15*l.* *John West*, Esq; 10*l.* *John Kaye*, Esq; 13*l.* 10*s.* Sir *Henry Saville*, 30*l.* Sir *John Saville*, 15*l.* *Philip Hungate*, Esq; 15*l.* Widow *Armitage*, 10*l.* *Ursula Wentworth*, 10*l.* &c.

The Collectors of this Loan were appointed to pay into the Exchequer the Sums received: and also to return the Names of such as discovered a Disposition to delay, or excuse, the Payment of the Sums imposed upon them. Which not answering the Design;

Notwithstanding these Loans were industriously collected in all Parts of the Kingdom, yet they did not answer the pressing Necessities of the State:

And

An. 1 Charles I. 1625.

And much Discontent arising from this Way of raising Money, as well as the unsuccessful Voyage to *Cadiz*, the King resolved to summon another Parliament to meet in *February*, which was still the first Year of his Reign.——As we have hitherto given the State of the Peerage, at the Beginning of every new Reign, we shall now do the same; by exhibiting a List of all the Peers summoned to the first Parliament of this King; for the second is not entered in *Dugdale's* Summons to Parliament,

The King calls a new Parliament.

State of the Peerage at this Time.

THE KING to his dearly beloved Cousin, *George* Duke of *Buckingham*, Lord High Admiral of *England*, &c.

William Marquis of *Winchester*.
Thomas Earl of *Arundel* and *Surry*, Earl Marshall of *England*.
Henry Earl of *Northumberland*.
John E. of *Shrewsbury*.
Henry E. of *Kent*.
William E. of *Derby*.
Edward E. of *Worcester*, Lord Keeper of the *Privy-Seal*.
Francis E. of *Rutland*.
Francis E. of *Cumberland*.
Robert E. of *Sussex*.
Henry E. of *Huntingdon*.
Edward E. of *Bath*.
Edward E. of *Bedford*.
William E. of *Pembroke*.
William E. of *Hertford*.
Robert E. of *Essex*.
Theophilus E. of *Lincoln*.
Charles E. of *Nottingham*.
Thomas E. of *Suffolk*.
Edward E. of *Dorset*.
William E. of *Salisbury*.
William Earl of *Exeter*.
Philip E. of *Montgomery*.
John E. of *Bridgewater*.
William E. of *Northampton*.
Robert E. of *Leicester*.
Robert E. of *Warwick*.
William E. of *Devonshire*.
John E. of *Holderness*.
James E. of *Carlisle*.
William E. of *Denbigh*.
John E. of *Bristol*.
Christ. E. of *Anglesea*.
Robert E. of *Somerset*.
Henry E. of *Holland*.
Oliver E. of *Bolingbroke*.
John E. of *Clare*.
Francis E. of *Westmoreland*.
Anthony Viscount *Montagu*.
William Visc. *Wallinford*.
John Visc. *Purbeck*.
William Visc. *Mansfield*.
Henry Visc. *Mandeville*, Lord *President* of the Council.

Francis

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Francis Visc. St. *Albon*(s).
Thomas Visc. *Colchester*,
Henry Visc. *Rochford*,
Thomas Visc. *Andover*,
Richard Visc. *Tunbridge*.
William Visc. *Say & Seale*,
Henry Nevile Lord *Bergavenny*.
Marvin Tuchet L. *Audley*,
Edward L. *Zouch*,
George L. *Berkley* of *Berkley*.
Robert L. *Willoughby* of *Eresby*.
Hen. West L. *De la War*.
Henry Parker L. *Morley*, and *Monteagle*.
Richard L. *Dacres*.
Emanuel L. *Scrope*,
Edward Sutton L. *Dudley*.
Edward L. *Stourton*.
Henry L. *Herbert*, eldest Son to *Edward* Earl of *Worcester*,
John L. *Darcie* and *Meynill*.
Edward Vaux L. *Harrowden*.
Thomas L. *Windsor*.
Thomas L. *Wentworth*.
John L. *Mordaunt*.
Thomas L. *Cromwell*.
William L. *Eure*,
Philip L. *Wharton*.
Edmund L. *Sheffield*,
William L. *Paget*,
Dudley L. *North*,
Theophilus Howard, Lord *Walden*, eldest Son to the Earl of *Suffolk*.
Edward L. *Wotton*,
Francis L. *Russel*.
Henry L. *Grey* of *Groby*,
William L. *Petre*.
Henry L. *Danvers*,
Robert L. *Spencer*.
Edward L. *Denny*.
Charles L. *Stanhope* of *Harrington*,
George L. *Carew*,
Thomas Lord *Arundel* of *Wardour*,
John L. *Tenham*,
Philip Lord *Stanhope* of *Shelford*.
John L. *Noel*.
Fulk L. *Brooke*,
Edward L. *Montagu*,
Robert L. *Carey*.
John L. *St. John* of *Basing*,
William L. *Grey* of *Werke*.
Francis L. *Deyncourt*.
James Lord *Ley* of *Ley*, Lord High Treasurer of *England*.
Rich. L. *Roberts* of *Truro*.
Ed. L. *Conway* of *Ragley*.
Horace L. *Vere* of *Tilbury*.

An. 1 Charles I. 1625.

In all.

Duke	1
Marquis	1
Earls	37
Viscounts	11
Barons	47
	97

Dr.

(s) By the Sentence pass'd upon this Peer, (See Vol. V. p. 420.) he was disabled from ever sitting in Parliament; and tho' he was afterwards pardoned by King *James*, yet he was not summoned during that King's Reign.

An. 3 Charles I. 1625.

Dr. *John Williams*, Lord Keeper of the Great Seal, and Biſhop of *Lincoln*, had fallen under the Diſpleaſure of the Duke of *Buckingham*, who prevailed upon his Majeſty to take the Seal from him, and give it to Sir *Thomas Coventry*.—This is neceſſary to premiſe, becauſe the Reader ought to underſtand who it was that ſpoke in that Character in the enſuing Parliament (*t*).

On *Monday*, *February* 6th, the Parliament met at *Weſtminſter*; when, the King being ſeated on his Throne, the Lords in their Robes, and the Commons below the Bar, his Majeſty, in a very ſhort Speech, told them, That he had directed the Lord Keeper to ſignify his Pleaſure to both the Houſes.

The LORD KEEPER'S SPEECH.

My Lords, and you the Knights, Citizens, and Burgeſſes of the Houſe of Commons,

The Lord Keeper's Speech.

'YOU are here aſſembled, by his Majeſty's Writs and Royal Authority, to hold a new Parliament, the General, Ancient, and Powerful Council of this Renowned Kingdom; whereof, if we conſider aright, and think of that incomparable Diſtance between the Supreme Height and Majeſty of a Mighty Monarch, and the ſubmiſſive Awe and Lowlineſs of a loyal Subject, we cannot but receive exceeding Comfort and Contentment in the Frame and Conſtitution of this higheſt Court; wherein not only the Prelates, Nobles, and Grandees, but the Commons of all Degrees have their Parts; and wherein that high Majeſty doth deſcend to admit, or rather to invite, the humbleſt of his Subjects to Conference and Counſel with him, of the great, weighty, and difficult Affairs of the King and Kingdom; a Benefit and Favour whereof, we cannot be too ſenſible and thankful; for ſure I am, that all good Hearts would

(*t*) We are told in *Hacket's Life of Biſhop Williams*, that one Reaſon of the Biſhop's Fall was, his Adviſing the King againſt the Diſſolution of his firſt Parliament.

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'would be both ſenſible and ſorrowful, if we did 'want it; and therefore it behoveth all, with uni- 'ted Hearts, and Minds free from Diſtraction and 'Diverſion, to fix their Thoughts upon Counſels, 'and Conſultations worthy of ſuch an Aſſembly, 'remembering, That in it, is preſented, the Majeſty 'and Greatneſs, the Authority and Power, the 'Wiſdom and Knowledge of this great and fa- 'mous Nation; and it behoveth us to magnify, 'and bleſs God, that hath put the Power of aſ- 'ſembling Parliaments in the Hands of him, the 'Virtue [*inherent*] of whoſe Perſon doth ſtrive 'with the Greatneſs of his Princely Lineage and 'Deſcent, whether he ſhould be accounted *Major* 'or *Melior*, a greater King or a better Man; 'and of whom you have had ſo much Trial and 'Experience, that he doth as affectionately love, 'as he doth exactly know, and underſtand the true 'Uſe of Parliaments; witneſs his daily and unwea- 'ried Acceſs to this Houſe, before his Acceſs to 'the Crown; his gracious Readineſs to all Confe- 'rences of Importance; his frequent and effectual 'Interceſſion to his Bleſſed Father of never-dying 'Memory, for the Good of the Kingdom, with 'ſo happy Succeſs, that both this and future Ge- 'nerations ſhall feel it, and have cauſe to rejoice 'at the Succeſs of his Majeſty's Interceſſion. And 'when the Royal Diadem deſcended upon himſelf, 'preſently, in the midſt of his Tears and Sighs, for 'the Departure of his moſt Dear and Royal Fa- 'ther, in the very firſt Conſultation with his Privy 'Council, was reſolved to meet his People in Par- 'liament: And no ſooner did the heavy Hand of 'that deſtroying Angel forbear thoſe deadly Strokes, 'which, for ſome Time, did make this Place in- 'acceſſible, but his Majeſty preſently reſolved to 'recall it; and hath now brought you together, 'and in a happy Time, I truſt, to treat and con- 'ſult, with uniform Deſires and united Affections, 'of thoſe Things that concern the general Good.

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'And now being thus aſſembled, his Majeſty 'hath commanded me to let you know, That his

'Love

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'Love and Affection to the Public, moved him to 'call this Parliament; and looking into the Danger, 'and the spreading of that late Mortality, and 'weighing the Multitude of his Majesty's pressing 'Occasions, and urgent Affairs of State, both at 'home and abroad, much importing the Safety, 'and State of this Kingdom; the same Affection 'that moved him to call it, doth forbid him to pro-'long the sitting of this Parliament: And there-'fore his Majesty resolving to confine this Meet-'ing to a short Time, hath confined me to a short 'Errand; and that is, That as a Thing most 'agreeable to the Kingly Office, to the Example 'of the best Times, and to the Frame of modern 'Affairs, his Majesty hath called you together, to 'consult and advise of prudent and good Laws, 'profitable for the Public, and fitting for the pre-'sent Times and Actions; for upon such depends 'the Assurance of Religion and of Justice, which 'are the surest Pillars and Buttresses of good Go-'vernment in a Kingdom. For his Majesty doth 'consider, that the Royal Throne, on which God, 'out of his Mercy to us, hath set him, is the Foun-'tain of all Justice, and that good Laws are the 'Streams and Rills, by which the Benefit and Use of 'this Fountain is dispersed to his People; and it is 'his Majesty's Care and Study, that his People may 'see, with Comfort and Joy of Heart, that this 'Fountain is not dry; but they and their Posterity 'may rest assured and confident in his Time, to re-'ceive as ample Benefit from this Fountain, by his 'Majesty's Mercy and Justice, as ever Subjects did 'in the Time of the most eminent Princes, amongst 'his Noble Progenitors; wherein, as his Majesty 'shews himself most sensible of the Good of the 'Public, so were it an Injury to this great and ho-'nourable Assembly, if it should be but doubted, 'that they shall not be as sensible of any thing 'that may add to his Majesty's Honour; which 'cannot but receive a high Degree of Love and 'Affection, if his Majesty, succeeding to many

'Ren-

'Religious, Wiſe, and Renowned Princes, ſhould begin his Reign with ſome Additions unto thoſe good Laws, which their happy and glorious Times have afforded. And this his Majeſty hath cauſed me to deſire at this Time, eſpecially, above others; for his Majeſty having, at his Royal Coronation, lately ſolemnized the ſacred Rites of that bleſſed Marriage, between his People and him; and therein, by a moſt holy Oath, vowed the Protection of the Laws, and Maintenance of Peace, both to Church and People; no Time can be ſo fit for his Majeſty to adviſe and conſult at large with his People, as at this preſent Time, wherein ſo lately his Majeſty hath vowed Protection to his People, and they have proteſted their Allegiance and Service to him. An. 1 Charles I. 1625.

'This is the Sum of the Charge which I have received from his Majeſty, to deliver unto you; wherein you ſee his Majeſty's Intent to the Public: And therefore his Deſire is, That, according to that Convaniency of Time, which his Affairs may afford, you will apply yourſelves to diſpatch the Buſineſs of this Parliament.'

The *Wedneſday* following, the Commons preſented Sir *Heneage Finch*, Knt. Serjeant at Law, and Recorder of *London*, for their Speaker; who having made the accuſtomed Excuſes, and acknowledged his Majeſty's Approbation, made this Speech. Sir Heneage Finch elected Speaker.

'SINCE it hath pleaſed your Majeſty not to admit my humble Excuſe, but, by your Royal Approbation, to crown this Election; after my Heart and Hands firſt lifted up to God, that hath thus inclined your Royal Heart, I do render my humbleſt Thanks to your Majeſty, who are pleaſed to caſt ſo gracious an Eye upon ſo mean a Subject; and to deſcend ſo low as, in a Service of this Importance, to take me into your Princely Thoughts. And ſince we all ſtand for Hundreds and Thouſands, for Figures and Cyphers, as your Majeſty, the Supreme and Sovereign Auditor, His Oration to the Throne.

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'shall please to place and value us, and, like Coin
'to pass, are made current by your Royal Stamp
'and Impression only, I shall neither disable nor
'undervalue myself, but with a faithful and chear-
'ful Heart, apply myself with the best of my
'Strength and Abilities, to the Performance of
'this weighty and public Charge; wherein, as I do,
'and shall to the End, most humbly desire your
'gracious Acceptance of my good Intentions and
'Endeavours, so I could not but gather some Con-
'fidence to myself, that your Majesty will look fa-
'vourably upon the Works of your own Hands.
'And, in Truth, besides this Particular, these pub-
'lic Things, which are obvious to every Under-
'standing, are so many Arguments of Comfort
'and Encouragement; when I contemplate and
'take a View of those inestimable Blessings, which,
'by the Goodness of God, we do enjoy under
'your Majesty's most pious and prudent Govern-
'ment.

'If we behold the Frame and the Face of the
'Government in general, we live under a Mo-
'narchy; the best of Governments, the nearest
'Resemblance unto the Divine Majesty, which the
'Earth affords, the most agreeable to Nature, and
'that in which other States and Republics do easily
'fall and reverse into the Ocean, and are naturally
'dissolved, as into their *primam Materiam*. The
'Laws by which we are governed, are above any
'Value my Words can set upon them; Time hath
'refined and approved them; they are equal, at least,
'to any Laws Human, and so curiously framed and
'fitted, that as we live under a temperate Climate,
'so the Laws are temperate; yielding a due Ob-
'servance to the Prerogative Royal, and yet pre-
'serving the Right and Liberty of the Subject;
'that which *Tacitus* saith of two of the best Em-
'perors, *Res olim insociabiles miscuerunt, Imperium*
'*& Libertatem*. And so far is this from the least Di-
'minution of Sovereigns, that, in this, your Ma-
'jesty is truly stiled *Pater Patriæ*, and the greatest
'King in the World; that is, King of such, and so

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many free-born Subjects, whose Persons you have not only Power over, but, which is above the greatest of Kings, to command their Hearts. If Time or Corruption of Manners breed any Mists or Grievance, or discover any Defect in the Law, they are soon reformed by Parliament, the greatest Court of Justice, and the greatest Council of the Kingdom, to which all other Courts and Councils are subordinate. Here your Royal Person still inthroned in the State of Majesty, attended by a Reverend and Learned Prelacy, a great and full Nobility inthroned, like Stars in the Firmament, some of a greater, some of a lesser Magnitude, full of Light and Beauty, and acknowledging to whom they owe their Lustre; and by a choice Number of worthy Knights and Gentlemen, that represent the whole Body of your Commons. But to leave Generals: We live not under a Monarchy only, the best of Governments, and under a Government the best of Monarchies; but under a King the best of Monarchs, your Royal Person, and those eminent Graces and Virtues, which are inherent in your Person, (in whom Greatness and Goodness contend for Superiority) it were Presumption in me to touch, tho' with never so good a Meaning; they will not be bounded within the narrow Compass of my Discourse: And such Pictures of such a King are not to be made in Limning, but for public Things and Actions which the least Eye may see and discern; and in them, obliquely and by Reflection, chearfully and with Comfort behold your Person. What Age shall not record and eternize your Princely Magnanimities in that heroic Action or venturous Journey into *Spain*, or hazarding your Person to preserve the Kingdom? Fathers will tell it to their Children in Succession; After-ages will then think it a Fable. Your Piety to the Memory of your dear Father, in following and bedewing his Herse with your Tears, is full in every Man's Memory. The Public Humiliation when God's Hand lay heavy upon

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An. 1 Charles I. 1625. upon us, and the late Public Thankſgiving to Almighty God for removing his Hand, both commanded and performed in Perſon by your Majeſty, is a Work in Piety not to be forgotten; and I truſt the Lord will remember them, and reward them with Mercy and Bleſſing to your Majeſty and the whole Kingdom. Your Love to Juſtice, and your Care in the Adminiſtration of Juſtice, we all behold with Comfort, and rejoice to ſee it; the great Courts of Juſtice from the higheſt to the loweſt furniſhed with Judges of that Wiſdom and Gravity, Learning and Integrity. The Thrones of Kings are eſtabliſhed by Juſtice; and may it eſtabliſh, and I doubt not, but it will eſtabliſh the Throne of your Majeſty in your Perſon, and in your Royal Line, to the End of Time. But above all, and indeed it is above all, as far as Heaven is diſtant from the Earth, your Care and Zeal for the Advancement of God's true Religion and Worſhip, are clearly and fully expreſt, and do appear both in your Perſon, and by your public Acts and Edicts. It is true, that it is ſaid of Princes, *Quod faciunt præcipiunt*; of your Majeſty both are true, and a Propoſition made convertible. We have received a moſt gracious Anſwer from your Majeſty, to all our late Petitions concerning Religion, ſeconded with a public Declaration under the Great Seal, and enrolled in all the Courts of Juſtice, for your Royal Pleaſure and Direction to awaken and put Life into theſe Laws by a careful Execution, with Proviſion that the Penalties be not converted to your private Coffers; and yet the Coffers of the Kings are not private Coffers, but, by your expreſs Direction, ſet apart to public Uſes, ſuch as concern the immediate Defence of the Kingdom, wherein we all have our Share and Intereſt. Your Royal Proclamation hath commanded thoſe *Romiſh Prieſts* and *Jeſuits* to Baniſhment; thoſe Incendiaries that infect the State of this Church and Common-Wealth. Their very Entrance into this Kingdom is, by a juſt

just and provident Law, made Treason; their Aims being in Truth, (how spacious soever their Pretences be) nothing else but to plot and contrive Treason against the State, and to seduce your natural-born Subjects from their true Obedience, nourishing in their Posterities, Factions and Seditions: Witness those many Treasons and Conspiracies against the Person of that glorious Lady, whose Memory will never die; and that horrible matchless Conspiracy, the *Powder-Treason*, the Master-Piece of the Devil. But God that preserved her and your Royal Father against all their treacherous Conspiracies, and hath given you a Heart to honour him, will honour and preserve you: Religion will more truly keep your Kingdoms, than the Seas do compass them: It is the Joy of Heart to your Majesty's loyal and well-affected Subjects, and will ever be the Honour of your Regal Diadem, and the Crown of your Crown. The *Spanish* Invasion in 1588, I hope will ever be remembred in *England*, with thankful Acknowledgment to God for so great a Deliverance: And I assure myself, it is remembred in *Spain*, but with another Mind, a Mind of Revenge; they are too constant to their Counsels, to acquit their Resolutions and Purposes that drew on that Attempt. It was long before discovered, and since printed, not without their Liking, That they affect an Universal Monarchy. *Videor nihi videre* (saith *Lipsius* of their State) *Solem orientem ab Occidente*; a Monster in Nature. And one of their own, speaking of the two great Lights which God had placed in the Firmament, makes the Pope *Luminare majus præsideus Urbi & Orbi*, and the King of *Spain*, *Luminare minus, ut subdetur Urbi & dominetur per totum Orbem:* A great Flattery, and a bold and impudent Allusion. But I trust, as God hath put it into the Heart of your blessed Father, by the matchless Book of his, written to all Christian Monarchs and Princes (a Work, by which he raised a Monument to himself more lasting than Marble)

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'Marble) to denounce War to that Adverſary of 'God and Kings, the *Pope*; ſo he hath ſet your 'ſacred Majeſty upon the Throne of your Father, 'to do as many Things worthy to be written, as 'he had written Things worthy to be read; a-'mongſt them to reſtrain that unlimited Pride and 'boundleſs Ambition of *Spain*, to reduce it to their 'proper Current and Channel; who, under the 'Title of Catholic King, makes his Pretence to 'more Countries and Kingdoms than his own; 'and, by colour of diſguiſed Treaties, he invades 'the *Palatinate*, and diſpoſſeſſeth the incomparable 'Lady your Royal Siſter, and the Children of this 'Kingdom, of their Right, and their ancient Patri-'mony and Inheritance, to the Diſcomfort and 'Diſhonour of this great and glorious Nation. 'God in his Mercy ſoon repair this Breach by your 'Royal Head; and, I aſſure myſelf, the Hearts, 'the Hands, and the Purſes of all good Subjects 'will ſay, *Amen*.

'But I may weary your Majeſty, and loſe my-'ſelf, and forget for whom I am Speaker. Cuſtom 'gives me the Privilege, as an humble Suitor on 'the Behalf of the Houſe, to preſent their few Pe-'titions unto your Majeſty.

1. 'The firſt, That, for our better attending 'this public and important Service, ourſelves and 'our neceſſary Attendance may, with your Majeſty's 'tender Allowance, be free, both in our Perſons 'and Goods, from Arreſts and Troubles, accord-'ing to our ancient Privileges.

2. 'The next, That ſince, for the preparing 'and drawing to Concluſion ſuch Propoſitions as 'ſhall be handled in the Houſe, Debate and Diſ-'pute will be neceſſary; and by Variety of Opi-'nions, Truth is oftentimes beſt diſcern'd; your 'Majeſty will likewiſe, according to your ancient 'Uſage and Privilege, vouchſafe us Liberty and 'Freedom of Speech, from which, I aſſure myſelf, 'Duty and Loyalty to your Majeſty will never be 'ſevered.

3. 'That

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3. 'That when Occaſions of Moment ſhall re- An. 1 Charles I. 1625.
'quire, your Majeſty, upon our humble Suit, and
'at ſuch Times, as may beſt ſort with your Occa-
'ſions, will vouchſafe us Acceſs to your Royal
'Perſon.

4. 'That the Proceedings of the Houſe may re-
'ceive a favourable Interpretation at your gracious
'Hands, and be free from Miſconſtructions.'

The firſt Thing the Commons went upon, was to appoint a grand Committee for Privileges and Elections: To fix a Day and Place for receiving the Communion; and to nominate a Preacher. Every Member of the Houſe was to take the Sacrament at *St. Margaret's* Church, *Weſtminſter*, on *Sunday* Sevennight: To bring his Name, and the Place for which he ſerves, and to deliver it to ſome Gentlemen appointed for that Purpoſe. After that Time, no Man was to come into the Houſe, till he had firſt received the Communion, in the Preſence of ſome of this Committee.

All the Members of the Commons receive the Sacrament.

This religious Precaution had been taken in the Beginning of ſome late Parliaments, deſigned, no doubt, for the Detection of concealed Papiſts; imagining, that tho' they might take the Oath of Allegiance and Supremacy, againſt their Conſciences, yet they would not be ſo wicked as to crown their Hypocriſy with receiving the Sacrament. But, as none refuſed, ſo we may charitably ſuppoſe there were no concealed *Papiſts* in that Houſe.

Feb. 10. This Day, after ſome Buſineſs of ſmall Moment was done, the Chancellor of the Exchequer delivered a Meſſage from the King to the Commons, to this Effect:

'That his Majeſty, taking Notice of an Order
'they had made, to ſend out new Writs upon
'double Returns, deſires to acquaint them alſo,
'That Sir *Edward Coke*, being Sheriff of *Bucking-*
'*hamſhire*, was returned one of the Knights of the
'Shire of *Norfolk*, contrary to the Tenor of the
'Writ: Therefore he hoped the Houſe would do

The King's Meſſage concerning Sir Edward Coke.

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An. 1 Charles I. 1625. him that Right, as to ſend out a new Writ for that County.'

In order to underſtand the Meaning of this Meſſage better, it is neceſſary to look into the Hiſtories of theſe Times for a further Explanation. It is ſaid, That, to diſqualify ſome Gentlemen, who had been zealous in their Oppoſition to the Court in the laſt Parliament, from ſerving in this, the King had pricked them as Sheriffs of Counties for the Year enſuing. Amongſt the reſt, old Sir *Edward Coke*, who had ſo vigorouſly diſtinguiſhed himſelf againſt the Miniſter and his Meaſures, was nominated as above. This great Lawyer demurred to the Oath of a Sheriff, and inſiſted that one Part of it, which was *to deſtroy and eradicate all Hereſies, commonly called* Lollardies, *was not to be taken.* This produced an Order of Council, wherein that Clauſe was left out of the Oath, and eſtabliſhed to continue ſo for the future: However, Sir *Edward* got himſelf returned, as Knight of the Shire, for another County; and this was the Occaſion of the King's Meſſage, and the Debates in the Houſe of Commons, which enſued upon it. Tho' all that the Houſe did this Day, in relation to the Meſſage, was to refer it to the Committee of Privileges and Elections, to report their Opinions of the Law in theſe Caſes, and the Uſage of Parliament, and to be the firſt heard.

Motion as to ſcandalous Miniſters.

After this, Sir *Benjamin Rudyard* got up, and moved the Houſe, on account of Religion; 'Whereof, he ſaid, the King had given ample Teſtimonies of his great Care and Concern, both by his Majeſty's late Proclamations, and the Life given to the Execution of the Laws againſt them, by Commiſſions and Letters: But he thought there ought to be ſome Care taken againſt ſcandalous Miniſters, as well as ſcandalous Livings. Said, That he knew two Miniſters in *Lancaſhire*, who were found to be unlicenſed Ale-Houſe Keepers.' A Committee ordered to conſider thereof.

Mr. *Pymme* moved, 'That this Committee might alſo conſider of certain Articles, ſet down

laſt

last Parliament, but not put into their Petition, of any thing else concerning Religion.' Upon which Motion, a large Committee was appointed, and all that would come, were to have Voices, to consider of all Points concerning Religion, and to present their Opinions to the House. An. 1 Charles I. 1625. Matters of Religion;

Sir *John Elliot* proposed, first, in general, to consider of the State of the Country, and a Relief for Grievances, *&c.* 'For Particulars; first, the Consideration of the King's Revenue. Next, an Account how the *Subsidies* and *Fifteenths*, granted the 21 *Jac.* were expended; and therein to include the Examination of the Carriage and Miscarriage of the last Fleet; Misgovernment; Misemployment of the King's Revenues; Miscounselling, *&c.* and moved for a special Committee to take Consideration thereof.' But happening, in his Speech, to make Use of the Word *Courtier*, he was called upon by another Member to explain it; which he did, but in what Manner, is not mentioned. Grievances, &c.

Resolved, That the Committee on Grievances, of the whole House, shall sit every *Wednesday* and *Friday* during the Parliament, with Power to make a Sub-Committee, and with Power to send for any Persons, Records, *&c.* — The Committee of the whole House, for Courts of Justice, upon *Tuesday* every Week, with like Power. And, for Trade, upon *Thursday*, every Week, with the same.—Ordered also, That the Committee for Grievances, shall take Consideration of all such, exhibited since the Beginning of King *James's* Reign, and how they have been answered and reformed. Committees thereupon.

These Orders and Resolutions, without one Word of a Supply, shewed but a very unpromising Beginning of this Parliament; and seemed to hint to the Ministry, that, without great Alterations amongst them, little Relief was to be expected from this Body. From the Date above, for several Days together, there is nothing to be found in the *Journals*, but regulating Elections, maintaining Privileges, and some slight Reports, from

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An. 1 Charles I. 1625. the ſeveral Committees, concerning Grievances in religious and other Matters, *&c.*

February 21. It was ordered, 'That the Knights and Burgeſſes of every Shire, City, and Borough, within this Realm, ſhall, upon Conference together, preſent the Names of ſuch Perſons, remaining in Commiſſion, or Place of Government, or Command in the Service for the Wars, or Truſt, contrary to the King's Anſwer, that either are convicted, or juſtly ſuſpected, of *Popery*. Their Names, in Writing, to be preſented to the Committee for Religion, on the 27th Inſtant, and they to preſent them to the Houſe. The ſame Committee, at their next Sitting, were to take Notice alſo of ſuch as ought to be confined, and yet reſort to the Cities of *London* and *Weſtminſter*. The Knights and Burgeſſes of *Yorkſhire* and *Northumberland*, were to make Enquiry, and preſent the Names of all ſuch in the Biſhopric of *Durham*, which yet ſent no Members to Parliament.

The ſame Day, after reading ſome Petitions for Payment of ſome Monies diſburſed for the Maintenance of the *Engliſh* Officers and Forces, under Count *Mansfield*, in the *Low Countries*, a grand Committee was appointed to conſider of thoſe Things; and alſo of the *Three Subſidies* and *Fifteenths* formerly granted: To audit the Accounts by a Sub-Committee, who were to prepare them ready for the other's Inſpection.

The Diſburſement of the late Supplies enquired into;

Some of the ſucceeding Days were taken up with reading of Bills, of no great Moment, the Houſe being divided into different Committees; amongſt which, that on Grievances was buſy in hearing Complaints againſt the Prime Miniſter, and examining Witneſſes againſt him: The Reports of which will fall beſt in the Sequel.

February 27. Sir *John Finch* made a Report from the Committee of Privileges and Elections, what they had done in the Caſe of Sir *Edward Coke* aforementioned:

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mentioned: Wherein many Cases were cited, *pro & contra*, as to the Nature of an High Sheriff for one County being elected Knight of the Shire for another. On all which Cases, he said, the Committee would give no Opinion; but desired that a Search might be made, amongst the Records, for more Precedents of the like Nature. But the Debate about this was put off to the 3d of *March*, and from thence to another Day; from which Time, we hear no more of it. In all Probability, Sir *Edward* lost his Seat in the House; for he is no way taken Notice of, as a Speaker, or otherwise, throughout the whole Course of this Session afterwards, except on the Day before the Dissolution of this Parliament; when, on the Question, it was resolved, 'That Sir *Edward Coke*, standing, *de Facto*, returned a Member of that House, should have Privilege against a Suit in Chancery, commenced against him by the Lady *Clare*.' An. 1 Charles I. 1625.

Affairs of a higher Nature than the last now begin to rise; and, what had been long hatching in the House of Commons, takes Shape and Life, and becomes very formidable against the Minister and all his Creatures. The Recital of which, not appearing in the *Journals* of either House, clear enough to distinguish rightly the particular Movements of this grand Attack, we shall not follow them, as usual, *de Die in Diem*; but, in general, relate the Source and Ending of this great Affair.

The House of Commons had been busy a long Time, in getting Materials for exhibiting Articles against the Duke: Their Committee on Grievances made several Reports; That they had learn'd the Reason, why our Merchant Ships and Goods were seized in *France*, was, because our Admirals had seized the Goods of that Nation in several Ports of *England*, particularly, in the Ship, called the *Peter* of *Newhaven*; which was brought into *Plymouth*, by Order of the Duke, after the King and Council had ordered it to be restored upon a just Claim, and the Court of Admiralty had also released her: That twenty- And the Conduct of the Duke of Buckingham.

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An. 1 Charles I. 1625. twenty-three Bags of Silver, and eight Bags of Gold, taken out of this Ship, were, by Sir *Francis Stewart*, delivered to the Lord Duke: That, till this Action, the *French* did not begin to seize any *English* Ships or Goods; and that the Duke, having Notice of it, said, He would justify the Stay of the Ship, by an express Order from the King.

The next Thing, we find, is, That the Commons sent out a particular Warrant, by their Serjeant, to summon the whole Council of War before them, who were appointed to manage the Business, for the Relief of the *Palatinate*; and this Question was proposed unto them, 'Whether their Advice was followed, which they gave for the four Ends, mentioned in the Act of Parliament, 21 *Jac.* for which the Money, given by that Act was to issue, and be applied?' The Names of this Council of War were, the Lord *Carey*, the Lord *Brook*, Lord *Vere*, Lord Viscount *Grandison*, Sir *Robert Maunsel*, Sir *John Ogle*, and Sir *Thomas Button*. The first, excused himself, by the Weakness and Infirmities then upon him: The next, by his Age, being 72, and having parted with his Places: The Lord *Vere*, the same, by his Absence in the Wars of the *Low Countries*: Lord *Grandison* said, That, since *July* last, they had seldom met, being dispersed by the Sickness; but desired Leave, in a Question of such Consequence, to confer together before they answered: And this was also the Request of the rest. Which was granted, with a special Order of the House to deliver their Answer, personally, in three Days Time. But what they then delivered in, not appearing satisfactory to the House, they were ordered to be examined singly on the Question; but none of them appeared willing to gratify the House, in that Particular, except Sir *Robert Maunsel*.

The Commons examine the Council of War.

It may not be improper, upon this Occasion, to observe, That, for the better Employment of the Money to be expended in managing of the expected War, the Treasurers and the King's Council for the War, were required to make Oath, *viz.* The

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The Treasurers, 'That none of those Monies shoud issue out of their Hands, without Warrant from the said Council of War:' And the other, 'That they should make no Warrants for the Payment of any of those Monies, but only for the Ends abovementioned.' And further, 'Should all be accountable for their Doings and Proceedings in that Behalf, to the *Commons* in *Parliament*, when they, or any of them, should be thereunto required (*q*).' An. 1 Charles I. 1625.

Whilst this Affair was debating, the King sent a Letter to the Speaker, and a Message, by Sir *Richard Weston*, to the House; which were as follows:

CHARLES R.

Trusty and Well-beloved, *&c.*

HAVING assembled the Parliament, early in the Beginning of the Year, for the more timely Help and Advice of our People, in our great and important Affairs; and having of late, not only by Message, but also of ourself, put our House of Commons in mind of our pressing Occasions, and of the present State of Christendom, *wherein they have equal Interest with us, as well in respect of their own former Engagements, as of the common Cause; we shall not need to tell them with what Care and Patience we have, in the Midst of our Necessities, attended their Resolutions; but, because their unseasonable Slowness may produce at home, as ill Effect as a Denial, and hazard the whole Estate of Things abroad, we have thought fit, by you, the Speaker, to let them know, That, without more Loss of Time, we look for a full and perfect Answer, of what they will give for our Supply, according to our Expectation and their Promises; wherein, as we press for nothing beyond the present State and Condition of our Subjects, so will we accept no less than is proportionable to the Greatness and Goodness of the Cause; neither do we press them to a present Resolution in this, with a Purpose to precipitate their Counsels, much less to enter upon their Privileges; but* The King's Letter to the Speaker to hasten the Supply.

(*q*) See *Statutes at Large*, 21 *Jac. Cap.* 34.

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An. 1 Charles I. 1625. *but to shew, that it is unfit to depend any longer upon Uncertainty, whereby the whole Weight of the Affairs of* Christendom, *may break in upon us, on the sudden, to our Dishonour, and the Shame of this Nation. And, for the Business at home, we command you to promise them in our Name, that, after they have satisfied us, in this our reasonable Demand, we shall not only continue them together at this Time, so long as the Season will permit, but call them shortly again to perfect those necessary Businesses, which shall be now left undone; and now we shall willingly apply fit and seasonable Remedies to such just Grievances, which they shall present unto us, in a dutiful and mannerly Way, without throwing an ill Odor upon our present Government, or upon the Government of our late blessed Father. And if there be yet, who desire to find Fault, we shall think him the wisest Reprehender of Errors past, who, without reflecting backwards, can give us Counsel, how to settle the present Estate of Things, and to provide for the future Safety and Honour of the Kingdom.*

And his Message to the same Purpose by the Chancellor of the Exchequer.

The Heads of the Message, for drawing a more speedy Resolution from the House, concerning the King of *Denmark*, Count *Mansfield*, and his Majesty's Army in the *Low Countries*, were these:

I. 'That his Majesty's Fleet being returned, and 'the Victuals spent, the Men must of Necessity be 'discharged, and their Wages paid, or else an assured Mutiny will follow; which may be many 'ways dangerous at this Time.

II. 'That his Majesty hath made ready about 'forty Ships, to be set forth on a second Voyage, 'to hinder the Enemy, which want only Victuals 'and some Men; which, without present Supply 'of Money, cannot be set forth and kept together.

III. 'That the Army, which is appointed in 'every Coast, must presently be disbanded, if they 'be not forthwith supplied with Victuals and 'Clothes.

IV. 'That

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IV. 'That if the Companies of *Ireland*, lately sent thither, be not provided for, inſtead of defending that Country, they will prove the Authors of Rebellion. An. 1 Charles I. 1625.

V. That the Seaſon for providing healthful Victuals will be paſt, if this Month be neglected.

'And therefore, his Majeſty commandeth me, to tell you, that he deſired to know, without further Delay of Time, what Supply you will give him for theſe his preſent Occaſions, that he may accordingly frame his Courſe and Counſel.'

But all theſe Motives and Conſiderations were of ſmall Weight with the Commons. They thought fit, however, ſome Days after, to return the King an Anſwer to his Meſſage, which had been prepared by a grand Committee, appointed for that Purpoſe. This being twice read, was agreed to by the whole Houſe; and, upon the Queſtion, was to be delivered to the King by the Speaker. The Commons Anſwer, and the King's Replication to it, are both preſerved by *Ruſhworth*, in this Form:

Moſt Gracious Sovereign,

'YOUR Majeſty's dutiful and loyal Subjects, the Commons now aſſembled in Parliament, in all Humility, preſent unto your Royal Wiſdom, this their loyal Anſwer to the Meſſage which your Majeſty was pleaſed, by the Chancellor of your Exchequer, to ſend unto them, deſiring to know, without any further deferring of Time, what Supply they would give to your Majeſty, for your preſent and extraordinary Occaſions, that you might accordingly frame your Courſes and Counſels. Firſt of all, they moſt humbly beſeech your Majeſty to know, and reſt aſſured, That no King was ever dearer to his People, than your Majeſty; no People more zealous to maintain and advance the Honour and Greatneſs of their King than they; which, as upon all Occaſions they ſhall be ready to expreſs, ſo eſpecially in the Support of that Cauſe, where- The Commons Anſwer.

'in

An. 1 Charles I. 1625. in your Majesty and your Allies are now justly engaged. And because they cannot doubt, but your Majesty, in your great Wisdom, even out of Justice, and according to the Example of your most famous Predecessors, will be pleased graciously to accept the faithful and necessary Information and Advice of your Parliament, which can have no End, but the Service of your Majesty, and Safety of your Realm, in discovering the Causes, and proposing the Remedies of these great Evils, which have occasioned your Majesty's Wants, and your People's Grief:

'They therefore, in Confidence and full Assurance of Redress therein, do, with one Consent, propose, (tho', in former Time, such Course hath been unused) that they really intend to assist and supply your Majesty in such a Way, and in so ample a Measure, as may make you safe at home, and feared abroad; for the Dispatch whereof, they will use such Diligence, as your Majesty's pressing, and present Occasions shall require.'

His Majesty made this Reply to the Commons Answer.

Mr. Speaker,

The King's Reply. *THE Answer of the Commons delivered by you, I like well of, and do take it for a full and satisfactory Answer, and I thank them for it; and I hope you will, with all Expedition, take a Course for Performance thereof; the which will turn to your own Good, as well as mine: But for your Clause therein, of presenting of Grievances, I take that but for a Parenthesis in your Speech, and not a Condition; and yet, for Answer to that Part, I will tell you, I will be as willing to hear your Grievances, as my Predecessors have been, so that you will apply yourselves to redress Grievances, and not to enquire after Grievances. I must let you know, that I will not allow any of my Servants to be questioned amongst you, much less such as are of eminent Place, and near*

unto

unto me, The old Question was, What shall be done to the Man whom the King will honour? *But now it hath been the Labour of some, to seek what may be done against him whom the King thinks fit to honour. I see you especially aim at the Duke of* Buckingham; *I wonder what hath so altered your Affections towards him. I do well remember, that, in the last Parliament in my Father's Time, when he was the Instrument to break the Treaties, all of you (and yet I cannot say all, for I know some of you are changed, but yet the House of Commons is always the same) did so much honour and respect him, that all the Honour conferred on him was too little; and what he hath done since to alter and change his Minds, I wot not; but can assure you, he hath not medled, or done any thing concerning the Public or Common-Wealth, but by special Directions and Appointment, and as my Servant; and is so far from gaining or improving his Estate thereby; that I verily think he hath rather impaired the same. I wish you would hasten my Supply, or else it will be worse for yourselves; for, if any Ill happen, I think I shall be the last that shall feel it.* An. 1 Charles I. 1625.

Mr. Coke's Reflections on the Duke of Buckingham.

But the Spirit raised against the Minister could not be conjured down by any thing the King could do; and no Supply was to be expected, till the Duke was given up to public Vengeance. The Commons followed the Chace very warmly against him; and, in some of their Debates, very severe Expressions were used against the Court; particularly, Mr. *Clement Coke* (*x*), said, *That it was better to die by an Enemy, than to suffer at home.* And another Member, Dr. *Turner*, a Physician, proposed to the House the following *Queries* against the Duke, grounded upon public Fame.

Dr. Turner's Queries against him.

'Whether the Duke, being Admiral, be not the Cause of the Loss of the King's Royalty in the narrow Seas?'

'Whether the unreasonable, exorbitant, and immense Gifts of Money and Lands, on the Duke and his

(*x*) Son of Sir *Edward Coke*.

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An. 1 Charles I. 1625. his Relations, be not the Cauſe of impairing the King's Revenue, and impoveriſhing the Crown?'

'Whether the Multiplicity of Offices, conferred upon the Duke, and others depending upon him, whereof they were not capable, be not the Cauſe of the evil Government of this Kingdom?'

'Whether *Recuſants*, in general, by a Kind of Connivency, be not borne out and increaſed, by reaſon the Duke's Mother and Father-in-Law were known *Papiſts*?'

'Whether the Sale of Offices, Honour, and Places of Judicature, with Eccleſiaſtical Livings and Promotions, a Scandal and Hurt to the Kingdom, be not thro' the Duke?'

'Whether the Duke's ſtaying at home, being Admiral and General in Chief of the Sea and Land Army, was not the Cauſe of the bad Succeſs and Overthrow of the late Action; and whether he gave good Direction for the Conduct of that Deſign?'

When Mr. *Coke* ſpoke thoſe Words, or when theſe *Queries* were delivered to the Houſe, we are not told; but the *Journals* inform us, that, the 14th of *March*, the Chancellor of the Exchequer delivered a Meſſage from the King to the Houſe, both concerning the Words ſpoken by Mr. *Coke*, and the ſix Articles propoſed by Dr. *Turner* againſt the Duke; yet they ſay no farther, than that Mr. *Coke* ſtood up to clear himſelf from any ill Intention, tending to Sedition, in the Words; but *Ruſhworth* is fuller, and gives us the Subſtance of the King's Meſſage to the Houſe, as well as Dr. *Turner's* Excuſe and Letter thereupon. The Meſſage was in theſe Words:

All which the King, by a Meſſage, reſents.

'That his Majeſty had taken Notice of a ſeditious Speech uttered in the Houſe by Mr. *Clement Coke*: The Words are ſaid to be to this Effect; *That it was better to die by an Enemy, than to ſuffer at home*: Yet his Majeſty, in his Wiſdom, hath forborne to take any Courſe therein, or to

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'send to the House about it, not doubting but the House would, in due Time, correct such an Insolence: But his Majesty hath found, that his Patience hath wrought to an ill Effect, and hath emboldened one since to do a strange Act, in a strange Way, and unusual: That is, Dr. *Turner*; who, on *Saturday* last, without any Ground of Knowledge in himself, or Proof tendered to the House, made an Enquiry of sundry Articles against the Duke of *Buckingham*, as he pretended; but indeed against the Honour and Government of the King and his late Father. This, his Majesty saith, is such an Example, that he can by no Means suffer, tho' it were to make Enquiry of the meanest of his Servants, much less against one so near unto himself; and doth wonder at the foolish Impudency of any Man that can think he should be drawn, out of any End, to offer such a Sacrifice, much unworthy the Greatness of a King, and Master of such a Servant: And therefore, his Majesty can no longer use his wonted Patience; but desireth the Justice of the House against the Delinquents; not doubting, but such Course will be taken, that he shall not be constrained to use his regal Authority to right himself against these two Persons.' An. 1 Charles I. 1625.

Upon this Message, Dr. *Turner* made a short Explanation of himself, desiring to know wherewith he was charged. 'What he said, he said, the House can witness; and what he said, he spake for the general Good of the Common-Wealth, and not upon the least Reflection of any in particular. This he thought a Parliamentary Way, warranted by ancient Precedents. To accuse upon common Fame, he finds warranted, first, by the Imperial *Roman* Laws, and the Canons of the Church, which allowed common Fame sufficient to accuse any Man. And they that are learned amongst them give two Reasons: First, for Greatness. Next, for Cunning. Our Ancestors, within these Walls, have done the like, and that to a Duke, the Duke

An. 1 Charles I. 1625. of *Suffolk*, in the Time of *Henry* VI. who was accuſed upon Fame. And, laſtly, he ſaid, Mr. Chancellor himſelf did preſent the common Undertakers upon particular Fame; and why he ſhould not have as ample Privilege in this Place, he knew no Reaſon to the contrary.'

The Commons having appointed another Day for the Debate of this Buſineſs, in the mean Time came this Letter from Dr. *Turner* to the Speaker.

SIR,

Dr. Turner's Excuſe. *THESE Lines firſt petition you to ſignify to the Honourable Houſe of Commons, That my Deſires are ſtill the ſame to have made my perſonal Appearance before you, but my Ability and Strength to perform it, are not the ſame; and therefore, that I humbly deſire them to excuſe me on that Part, and to accept of this my Anſwer unto the Matter, that I ſhall ſpeak to. I do confeſs, that, on* Saturday *laſt, in the Afternoon, I did deliver in certain Accuſations of common Fame, into the Houſe of Parliament, againſt my Lord Admiral, and that out of ſo many, all bearing the Signature of* Vox Populi, *I choſe out ſome few, not becauſe they were greater, or more known Grievances, but becauſe they did ſeem to direct us to find out the Griever, or the firſt Cauſe: For I did think it was then full Time to agree the Agent and the Actions; and that it was Time alſo to leave conſidering Grievances in Arbitration. I do now alſo agree unto you, that which hath been reported unto you, by Mr.* Wandesford; *and by that, if you ſhall think fit, will put myſelf unto your Cenſure; hoping, and aſſuring myſelf, that you will find my Deſign to include nothing elſe within it, but Duty and public Service to my Country; and alſo, that my addreſſing thoſe Accuſations to the Houſe of Parliament, ſhall, by you, be found to be done by a mannerly and Parliamentary Way. But, howſoever, it becomes me to ſubmit my Cauſe to your Wiſdoms and equal Judgments, which I do heartily; and whatſoever you ſhall pleaſe to appoint me, I ſhall dutifully ſatisfy. When God ſhall be pleaſed to reſtore*

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me able to attend your Service, I doubt not but to give you an honeſt Account of all my Actions herein. And, if I ſhall firſt go to my Grave, I deſire, if you find me clear, the Reputation of an honeſt Man, and an Engliſhman, *may attend me thereunto. Thus I reſt* An. 2 Charles I. 1626.

To the Hon. Sir *Heneage Finch*, Speaker to the Houſe of Commons.

Your dutiful
and humble Servant,
SAMUEL TURNER.

Notwithſtanding the Order for another Hearing of this Matter, there is little or no further Mention made concerning it in the *Journals*, till many Days after, when the Houſe came to debate on the *Baſis* of Dr. *Turner's Queries*, *Whether common Fame was a ſufficient Ground for Accuſation?*

Upon this, *April* 22, a long Debate enſued in the Houſe on the Queſtion. Mr. *Maliet* began, and ſaid, 'That the Queſtion, *Whether common Fame was a Ground ſufficient for the Commons Houſe of Parliament to proceed upon*, required great Conſideration. That he was againſt it; tho', he confeſs'd, he had ſeen few original Precedents in the Caſe. But the Point, Whether an Accuſation upon common Fame be to be entertained there, and from thence tranſmitted to the Lords, he was againſt, for theſe Reaſons: *Firſt*, Becauſe it would diſadvantage the Party accuſed; conſidering that he muſt anſwer the Fame, as well as the Accuſation. *Next*, Whoſoever is accuſed here, and cleared, is, by the Juſtice of this Houſe, to have Remedy againſt the Accuſer; which, by this Courſe, he will want.' Debate on the aforeſaid Queries.

'In the 7th of *Richard* II. an Accuſation of Bribery was made againſt the Chancellor, by *Cavendiſh*: The Complaint being found falſe, he was adjudged to pay a Fine of 3000 Marks, to be impriſoned, *&c.*'

'In the 17th of the ſame Reign, a Complaint was made by the Earl of *Arundel* againſt the Duke of *Lancaſter*. He was acquitted, and the Duke

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An. 2 Charles I. 1626. ordered, in Parliament, 'to have Satisfaction from *Arundel*.'

'That if this had been an Uſe in Parliament, it would, from thence, have been derived to other Courts; whereas no Temporal Court hath ever uſed it, except in Caſes Capital, as in that of *Michael de la Pole*. So, in the Caſe of *Recuſants*, he thought it might be lawful; becauſe the Recuſant, tho' indicted, yet, conforming and taking the Oaths, is freed from all Penalties of the Law. But this was not the Caſe in Queſtion.'

'If this was calculated to prevent a Miſchief, it might be tolerated; but, on the contrary, here, where it tends to Judgment. This, he ſaid, was not like the Enquiry of a Grand Jury; yet no Grand Jury, except in the Caſe of *Recuſants*, proceedeth upon common Fame, without other Proof. He likened the Reſemblance of it to a double Judgment on Account; where the firſt Judgment muſt be grounded on a Verdict of Confeſſion. Doubted this Precedent might be dangerous to inferior Temporal Courts, by way of Imitation.'

'That Petitions to this Houſe for a Grievance are in Writing, the Petitioners preſent, and their Hands unto it. Laſtly, he ſaid, he remembred the Caſe of the Biſhop of *Lincoln*, 12 *Jac.* which, upon ſpecial Reaſon, as concerning the Honour of this Houſe, and for which they could have no other Ground of Proof, was yet rejected, becauſe it had no other Ground.'

This Speech was anſwered, firſt, by Mr. *Wyld*; who quoted *Bracton*, 'That all Suſpicions, grounded upon Fame, were to be regarded. That ſome Preſumptions admit Proof to the contrary, others not: But that this Fame muſt ariſe amongſt the better Sort. All our Law-Books concur in this Point, That an Act muſt firſt be done, and the Fame riſe in the County where it was done. This is a good Ground for arreſting upon any Felony; as Murder, Robbery, *&c.* and quoted ſeveral Acts of Parliament to prove it.'

Mr.

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Mr. *Littleton* said, 'That this was not a House of definitive Judgment, but of Information, Denunciation, or Presentment, for which common Fame was sufficient. That there was a great Difference between common Fame and Rumour: The general Voice was common Fame; and, *Vox Populi, Vox Dei.* By the 14th of *Edward* II. common Fame was more than the Saying of one Man; for that it was the Voice of many. That common Fame was a good Ground of Imprisonment for Treason or Felony, by the 27th of *Elizabeth*: but the Person cannot then be said to be, either a Felon or a Traitor.' An. 2 Charles I. 1626.

'That, in other States, ancient and modern, Men had been not only accused, but condemned, by common Fame. He quoted Precedents; of the Duke of *Suffolk's* Case, 28th *Henry* VI. the Duke of *Somerset's*, 29th *Henry* VI. and the Bishop of *Lincoln's* Case, in the 12th of *James*. Concluded, That a Man, accused by common Fame, is to answer only to the Accusation, and not the Fame.'

Mr. *Browne*, on the same Side, argued, 'That Accusation was to be allowed, but not Calumniation: Calumniation is, in an unfit Place, to lay an Aspersion. That common Fame was called, by Civilians, *Semiplena Probatio*, arising out of apparent Signs. If a private Man accuse, and it be found false, he is liable to Punishment; because he had nothing to do in it: But, where a Member of this House does it, *libere licet Accusatio*, if the Place be proper for it; otherwise, not: Therefore, an Accusation, in this House, proper. That there was no Subject, how great soever, but what is questionable here, if he be grievous to the Common-Wealth: So, in all former Precedents; and this the only Place, in which to question great Men.'

Sir *Thomas Wentworth* said, 'That if they could not present to the Lords upon common Fame, yet they might enquire and accuse, in that House, upon it. That this was the only Safeguard for Accusation of great Men; whereas, in all others, no Man dare accuse them, for Fear of Danger. Men

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An. 2 Charles I. 1626. of evil Fame were not bailable; but to be bound to good Behaviour by Act of Parliament. If common Fame was ſufficient for Treaſon and Felony, it was much more ſo, in leſſer Offences. And *Scandalum Magnatum* lieth not, where a Man can bring forth but one Author.'

Mr. *Selden*, ſpoke next, in this Debate, and argued, 'That the Queſtion was not only, Whether this Houſe may proceed to tranſmit to the Lords upon common Fame? And ſurely, they might, elſe no great Man ſhall be accuſed, by any Particular, for Fear of Danger. The Faults of the Gods, were not to be told, till the Goddeſs *Fame*, was born. *De eo male creditur*, is put into Indictments for Murder. That this Courſe of Accuſation was held, in all the Courts in *Chriſtendom*. That theſe Caſes were to be ruled by the Law of Parliaments, and not either by the Common or Civil Law. In the Caſe of the Duke of *Suffolk*, 28th *Henry* VI. there was a general Rumour and Noiſe of great Offences done againſt the State. The Commons, taking Notice thereof, acquainted the Lords with that general Rumour, praying them, he might be committed to the *Tower*; which the Lords, upon Conſultation with the Judges, refuſed; becauſe the Charge was only general: Thereupon, the Commons inſtanced, in one Particular, That the *French* King was ready to invade the Kingdom, thro' his Default; whereupon, he was preſently committed. In the Duke of *Somerſet's* Caſe, 29th *Henry* VI. the like Clamour upon common Fame, and the Parties complained of, were removed from their Offices.'

Mr. *Rolle* ſaid, 'The Commons may preſent a Lord of the Higher Houſe to the Lords; for he is not compellable to anſwer in this: And, if we cannot preſent upon common Fame, he can never be drawn to anſwer. If the Offence tend to Felony or Treaſon, the Commons may pray to have him committed, in reſpect to the Quality of the Fact; but it is otherwiſe in ſmaller Offences. In the 5th of *Henry* IV. a Complaint was made againſt the Kin-'s

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King's Confeſſor, and ſome others: Hereupon, the Lords ordered they ſhould be removed from about the King. And the King, in Parliament, tho' he knew no Cauſe particularly, yet, becauſe the Lords and Commons had thought them unfitting, he there commanded them to come no more near him; and that if there was any others, againſt whom the Lords and Commons had Indignation, he would remove them alſo *(y)*.' An. 2 Charles I. 1626.

Mr. *Sherland* argued, 'That, in a Caſe, where there was *probabilis Cauſa litigandi*, no Damages were ever awarded. That common Fame was allowed to be *ſemiplena Probatio*. That the Life and Soul of the Common-Wealth was of greater Reſpect than Felony. He ſaid, there was as well a real Treaſon, as a legal Treaſon; the firſt, tantamount to the other: Therefore, common Fame, was a ſufficient Ground in this Caſe, as well as for Felony.'

The laſt who ſpoke in this Debate, on the ſame Side, was Mr. *Noy*, who ſaid, 'That Men bound by Recognizance, were ſometimes impriſon'd on common Fame. That this Houſe could but enquire, they had no other Juriſdiction; for they were no Churchwardens nor Grand Jury. And it was wrong, he ſaid, that the Fault ſhould go unpuniſhed, becauſe no Man durſt accuſe. The Grounds for an Enquiry were two; the firſt, common Fame; the next, whether that Fame be true. That they ought not to tranſmit, without the firſt be common; but without the particular Enquiry, they might: For it might happen, they could not get Witneſſes; ſuppoſing the Witneſſes to be of the Houſe of Lords.'

It is eaſy to ſee, by the Courſe of this Debate, that the Duke had few Advocates in the Houſe of Commons. We do not even find, that the State-Officers in that Houſe ſaid any thing in his Favour; only, we are told, that the Chancellor of the Dutchy being aſked his Opinion, gave it againſt this Proceeding by common Fame.

y) See Vol. II. p. 79, 256, 268.

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Ann. 2 Charles I. 1626.

Upon the whole, the Queſtion was put, 'Whether common Fame was a good Ground of proceeding, either to enquire of it there, or tranſmit the Complaint, if the Houſe think fit, to the King, or the Lords?' It was carried in the Affirmative, by a great Majority.

The Commons reſolve to proceed againſt the Duke of Buckingham;

This *Remora*, being put by, the Commons then proceeded with great Vigour againſt the Duke. Several Committees, appointed for particular Enquiries into his Conduct, brought in their Reports, and many Votes and Reſolutions were taken upon them; which we ſhall poſtpone, till we come to the general Charge againſt him. But, amongſt the reſt of the Committees, there was one appointed to conſider of a Supply to be granted to the King; and, *March* 27, Sir *Dudley Digges*, made the Report from it. The ſame Day, it was reſolved upon the Queſtion, 'That three *Subſidies* and three *Fifteenths*' ſhould be granted to his Majeſty in this Seſſion of Parliament, payable at three ſeparate Times; the Bill, to be brought in, when they had preſented their Grievances, and received his Anſwer to them.'

And alſo to grant a Supply.

Hand in Hand, with the Supply went the Commons Proceedings againſt the Duke. *Ruſhworth*, informs us, of one Day's Debate on that Matter; and that, Sir *W. Walter*, if his Name be not miſtaken in thoſe Collections (z), repreſented to the Houſe, 'That the Cauſe of all their Grievances was, becauſe, as it was ſaid of *Lewis* XI. of *France*, *All the King's Council rides upon one Horſe*: Therefore the Parliament was to adviſe his Majeſty, as *Jethro* did *Moſes*, to take unto him Aſſiſtants with theſe Qualities:

Debate on the Duke's Affair.

1. '*Noble*, from amongſt all the People; not Upſtarts, and of a Night's Growth.'

2. '*Men of Courage*; ſuch as will execute their own Places, and not commit them to baſe and undeſerving Deputies.'

3. '*Fearing God*; who halt not betwixt two Opinions, or incline to falſe Worſhip, in reſpect of a Mother, Wife, or Father.'

4. 'Deal-

(z) More probably, Sir *William Walter*.

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4. 'Dealing truly; for Courtſhip, Flattery, and Pretence, become not King's Counſellors; but they muſt be ſuch as the King and Kingdom may truſt.' An. 2 Charles I. 1626.

5. 'Hating Covetouſneſs; no Bribers, or Sellers of Places in Church or Common-Wealth, much leſs Honours and Places about the King, and leaſt of all, ſuch as live upon other Men's Ruins.'

6. 'They ſhould be *many*, ſet over Thouſands, Hundreds, Fifties, and Tens, one Man not engroſſing all. Where there is Abundance of Counſel, there is Peace and Safety.'

7. 'They muſt judge of *ſmall Matters*; the greater muſt go to the King himſelf, not all to the Council; much leſs any one Counſellor muſt alone manage the whole Weight; but royal Actions muſt be done only by the King.'

Laſtly, 'Moſes choſe them *Elders*, not young Men. *Solomon*, by Miracle and Revelation, was wiſe, being young; but neither his Son, nor his young Counſellors, had that Privilege: No more is it expected in any of our Counſellors, until, by Age and Experience, they have attained it.'

Sir *John Elliot*, continued the Debate, and thus ſpake: 'We have had, ſays he, a Repreſentation of great Fear; but, I hope, that ſhall not darken our Underſtandings. There are but two Things conſiderable in this Buſineſs: *Firſt*, The Occaſion of our Meeting: And, *ſecondly*, The preſent State of our own Country. The firſt of theſe we all know, and it hath at large been made known unto us, and therefore needeth no Diſpute. The latter of theſe we ought to make known, and draw and ſhew it, as in a Perſpective, in this Houſe: For our Wills and Affections were never more clear, more ready as to his Majeſty; but, perhaps, baulk'd and check'd in our Forwardneſs, by thoſe the King inſtruſts with the Affairs of the Kingdom. The laſt Action, was the King's firſt Action; and the firſt Actions and Deſigns of Kings, are of great Obſervance in the Eye of the World; for thereon much dependeth, the Eſteem or Diſeſteem of their future Proceedings.

And,

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An. 2 Charles I. 1626. And, in this Action, the King and Kingdom have ſuffered much Diſhonour: We are weaken'd in our Strength and Safety, and many of our Men and Ships are loſt. This great Deſign was fix'd on the Perſon of the Lord General, who had the whole Command both by Sea and Land: And can this great General think it ſufficient to put in his Deputy and ſtay at home? Count *Mansfield's* Actions were ſo miſerable, and the going out of thoſe Men ſo ill managed, as we are ſcarce able to ſay they went out. That handful of Men ſent to the *Palatinate*, and not ſeconded, what a Loſs was it to all *Germany*? We know well who had then the King's Ear. I could ſpeak of the Action of *Algier*; but I will not look ſo far backward. Are not Honours now ſold, and made deſpicable? Are not judicial Places ſold? And do not they then ſell Juſtice again? *Vendere Jure poteſt, emerat ille prius.* *Tully*, in an Oration againſt *Verres*, notes, That the Nations were Suitors to the Senate of *Rome*, that the Law, *de Pecuniis repetundis*, might be recalled; Which ſeems ſtrange, that thoſe that were Suitors for the Law, ſhould ſeek again to repeal it; but the Reaſon was, it was perverted to their Ill. So it is now with us; beſides inferior and ſubordinate Perſons that muſt have Gratuities, they muſt now feed their great Patrons.'

'I ſhall, to our preſent Caſe, cite two Precedents: The firſt is, 11 *Henry* III. The Treaſure was then much exhauſted; many Diſorders complained on; the King wronged by ſome Miniſters; many Subſidies were then demanded in Parliament, but they were denied; And then the Lords and Commons joined to deſire the King to re-aſſume the Lands which were improvidently granted, and to examine his great Officers, and the Cauſes of thoſe Evils which the People then ſuffered. This was yielded unto by the King, and *Hugh de Burgo* was found faulty, and was diſplaced; and then the Commons, in the ſame Parliament, gave Supply. The ſecond Precedent, was in the tenth Year of *Richard* II. Then the Times

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Times were such, and Places so changeable, that any great Officer could hardly sit to be warm'd in his Place. Then also Monies had been formerly given, and Supply was at that Parliament required: The Commons denied Supply, and complained that their Monies were misemployed; that the Earl of *Suffolk* [*Michael de la Pole*] then over-ruled all; and so their Answer was, *They could not give.* And they petitioned the King, that a Commission might be granted, and that the Earl of *Suffolk* might be examined. A Commission, at their Request, was awarded; and that Commission recites all the Evil then complained of, and that the King, upon the Petition of the Lords and Commons, had granted that Examination should be taken of the Crown Lands which were sold; of the ordering of his Houshold; and the Disposition of the Jewels of his Grand-Father and Father. I hear nothing said in this House of our Jewels, nor will I speak of them; but I could wish they were within these Walls. We are now in the same Case with those former Times; we suffer alike, or worse: And therefore, unless we seek Redress of these great Evils, we shall find Disability in the Wills of the People to grant. I wish therefore, that we may hold a dutiful Pursuance in preparing and presenting our Grievances: For the three *Subsidies* and three *Fifteenths* which are proposed, I hold the Proportion will not suit with what we would give; but yet I know it is all we are able to do, or can give; and yet this is not to be the Stint of our Affections, but to come again, to give more upon just Occasions. An. 2 Charles I. 1626.

March 28. The King sent a Message to both Houses to require their Attendance on him at *Whitehall*, the next Day, at Nine o'Clock; and, in the mean Time, all Proceedings in the House and in Committees were to cease. Accordingly, the Lords and Commons went thither, to whom his Majesty made the ensuing Speech: The King commands the Attendance of both Houses.

My

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An. 2 Charles I. 1626.

My Lords and Gentlemen,

His Speech to them.

I Have called you hither To-day, I mean both Houſes of Parliament, but it is for ſeveral and diſtinct Reaſons. My Lords, you of the Upper Houſe, to give you Thanks for the Care of the State of the Kingdom now; and not only for the Care of your own Proceedings, but inciting your Fellow-Houſe of the Commons, to take that into their Conſideration: Therefore, my Lords, I muſt not only give you Thanks, but I muſt alſo avow, That if this Parliament do not redound to the Good of this Kingdom, (which I pray God it may) it is not your Faults. And you, Gentlemen of the Houſe of Commons, I am ſorry that I may not juſtly give the ſame Thanks to you; but that I muſt tell you, that I am come here to ſhew you your Errors; and, as I may call it, Unparliamentary Proceedings in this Parliament: But I do not deſpair, becauſe you ſhall ſee your Faults ſo clearly by the Lord Keeper, that you may ſo amend your Proceeding, that this Parliament ſhall end comfortably and happily, tho' at the Beginning it hath had ſome Rubs.

Then the Lord Keeper, by the King's Command, ſpoke next.

My Lords, and you Knights, Citizens, and Burgeſſes of the Houſe of Commons,

And the Lord Keeper's.

'YOU are here aſſembled by his Majeſty's 'Command, to receive a Declaration of his 'Royal Pleaſure; which, altho' it be intended 'only to the Houſe of Commons, yet his Majeſty 'hath thought meet, the Matter being of great 'Weight and Importance, it ſhould be delivered 'in the Preſence of both Houſes, and both Houſes 'make one general Council. And his Majeſty is 'willing that the Lords ſhould be Witneſſes of 'the Honour and Juſtice of his Reſolutions. And 'therefore the Errand which, by his Majeſty's Di-'rection, I muſt deliver, hath Relation to the Houſe 'of

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'of Commons. I must address myself therefore 'to you, Mr. Speaker, and the rest of that House. An. 2 Charles I. 1626.

'And first, his Majesty would have you to understand, That there was never any King more 'loving to his People, or better affectioned to the 'right Use of Parliaments, than his Majesty hath 'approved himself to be; not only by his long 'Patience since the sitting down of this Parliament, but by those mild and calm Directions, 'which, from Time to Time, that House hath received by Message and Letter, and from his Royal 'Mouth, when the irregular Humours of some particular Persons wrought Diversions and Distractions there, to the Disturbance of those great and 'weighty Affairs, which the Necessity of the 'Times, the Honour and Safety of the King and 'Kingdom, called upon: And therefore his Majesty doth assure you, that when these great Affairs are settled, and that his Majesty hath received Satisfaction of his reasonable Demands, he 'will, as a just King, hear and answer your just 'Grievances, which, in a dutiful Way, shall be 'presented unto him; and this his Majesty doth 'avow.

'Next, his Majesty would have you to know of 'a Surety, That, as never any King was more 'loving to his People, nor better affectioned to the 'right Use of Parliaments; so never King was more 'jealous of his Honour, nor more sensible of the 'Neglect and Contempt of his Royal Rights, 'which his Majesty will by no Means suffer to be 'violated by any pretended Colour of Parliamentary Liberty; wherein his Majesty doth not forget, that the Parliament is his Council, and therefore ought to have the Liberty of a Council; 'but his Majesty understands the Difference betwixt Council and Controlling, and between Liberty and the Abuse of Liberty.

'This being set down in general, his Majesty 'hath commanded me to relate some particular 'Passages and Proceedings, whereat he finds himself aggrieved.

'*First*,

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An. 2 Charles I. 1625.

'*First*, Whereas a ſeditious Speech was uttered amongſt you by Mr. *Coke*, the Houſe did not, as they ought to do, cenſure and correct him. And when his Majeſty, underſtanding it, did, by a Meſſage, by Mr. Chancellor of the Exchequer delivered to the Houſe, require Juſtice of you; his Majeſty hath ſince found nothing but protracting and Delays. This his Majeſty holds not agreeable to the Wiſdom and the Duty which he expected from the Houſe of Commons.

'*Secondly*, Whereas, Dr. *Turner*, in a ſtrange Unparliamentary Way, without any Ground of Knowledge in himſelf, or offering any particular Proof to the Houſe, did take upon him to adviſe the Houſe to enquire upon ſundry Articles againſt the Duke of *Buckingham*, as he pretended; but, in Truth, to wound the Honour and Government of his Majeſty, and of his renown'd Father; and his Majeſty, firſt, by a Meſſage, and after, by his own Royal Mouth, did declare, That that Courſe of Enquiry was an Example, which by no way he could ſuffer, tho' it were againſt his meaneſt Servant, much leſs againſt one ſo near him; and that his Majeſty did much wonder at the fooliſh Inſolency of any Man that can think, that his Majeſty ſhould be drawn, out of any End, to offer ſuch a Sacrifice, ſo unworthy of a King, or a good Maſter; yet, for all this, you have been ſo far from correcting the Inſolency of *Turner*, that, ever ſince that Time, your Committees have walked in the Steps of *Turner*, and proceeded in an Unparliamentary Inquiſition; running upon Generals, and repeating that whereof you have made Fame the Ground-Work. Here his Majeſty hath Cauſe to be exceeding ſenſible, that, upon every Particular, he finds the Honour of his Father ſtain'd and blemiſh'd, and his own no leſs; and withal, you have manifeſted a great Forwardneſs, rather to pluck out of his Boſom thoſe who are near about him, and whom his Majeſty hath Cauſe to affect, than to truſt his Majeſty with the future

'Refor-

Reformation of these Things which you seem to aim at: And yet you cannot deny, but his Majesty hath wrought a greater Reformation in Matters of Religion, Execution of the Laws, and concerning Things of great Importance, than the Shortness of his Reign (in which he hath been hindred, partly thro' Sickness, and the Distraction of Things, which we could have wished had been otherwise) could produce. An. 2 Charles I. 1626.

'Concerning the Duke of *Buckingham*, his Majesty hath commanded me to tell you, That himself doth better know than any Man living the Sincerity of the Duke's Proceedings; with what Cautions of Weight and Discretion he hath been guided in his public Employments from his Majesty and his blessed Father; what Enemies he hath procured at home and abroad; what Peril of his Person, and Hazard of his Estate he ran into for the Service of his Majesty, and his ever blessed Father; and how forward he hath been in the Service of this House many Times since his Return from *Spain*: And therefore, his Majesty cannot believe that the Aim is at the Duke of *Buckingham*; but findeth, that these Proceedings do directly wound the Honour and Judgment of himself, and of his Father. It is therefore, his Majesty's express and final Commandment, That you yield Obedience unto those Directions which you have formerly received, and cease this Unparliamentary Inquisition; and commit unto his Majesty's Cure, and Wisdom, and Justice, the future Reformation of these Things, which you suppose to be otherwise than they should be. And his Majesty is resolved, that, before the End of this Session, he will set such a Course, both for the amending of any thing that may be found amiss, and for the settling of his own Estate, as he doubteth not but will give you ample Satisfaction and Comfort.

'Next to this, his Majesty takes Notice, That you have suffered the greatest Council of State to

'be

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An. 2 Charles I. 1626. ‘ be cenſured and traduced in the Houſe, by Men ‘ whoſe Years and Education cannot attain to that ‘ Depth: That foreign Buſineſſes have been en- ‘ tertained in the Houſe, to the Hinderance and ‘ Diſadvantage of his Majeſty's Negotiations: That ‘ the ſame Year, yea, the firſt Day of his Maje- ‘ ſty's Inauguration, you ſuffered his Council, Go- ‘ vernment, and Servants to be parallel'd with the ‘ Times of moſt Exception: That your Commit- ‘ tees have preſumed to examine the Letters of Se- ‘ cretaries of State, nay, his own; and ſent a ge- ‘ neral Warrant to his Signet-Office, and com- ‘ manded his Officers, not only to produce and ‘ ſhew the Records, but their Books and private ‘ Notes, which they made for his Majeſty's Ser- ‘ vice. This his Majeſty holds as unſufferable, as ‘ it was in former Times unuſual.

‘ Next, I am to ſpeak concerning your Supply of ‘ Three *Subſidies* and Three *Fifteenths*, which you ‘ have agreed to tender to his Majeſty. You have ‘ been made acquainted with the Greatneſs of his ‘ Affairs, both at home and abroad; with the ‘ ſtrong Preparation of the Enemy; with the Im- ‘ portance of upholding his Allies, ſtrengthening ‘ and ſecuring both *England* and *Ireland*; beſides the ‘ encountering and annoying the Enemy by a pow- ‘ erful Fleet at Sea, and the Charge of all: This ‘ having been calculated unto you, you have pro- ‘ feſſed unto his Majeſty, by the Mouth of your ‘ Speaker, your Carefulneſs to ſupport the Cauſe ‘ wherein his Majeſty and his Allies are juſtly en- ‘ gaged; your unanimous Conſent and real Inten- ‘ tion to ſupply his Majeſty in ſuch a Meaſure as ‘ ſhould make him ſafe at home, and feared abroad; ‘ and that, in the Diſpatch hereof, you would uſe ‘ ſuch Diligence, as his Majeſty's preſſing and pre- ‘ ſent Occaſions did require.

‘ And now his Majeſty having erected a Pro- ‘ ceeding ſuitable to this Engagement, he doth ob- ‘ ſerve, that, in two Days only of twelve, this ‘ Buſineſs was thought of; and not begun, till his

‘ Majeſty,

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Majesty, by a Message, put you in mind of it; whilst your Inquisition, against his Majesty's Direction, proceeded Day by Day. An. 2 Charles I. 1626.

'And, for the Measure of this Supply, his Majesty findeth it so far from making himself safe at home, and feared abroad, as, contrarywise, it exposeth him both to Danger and Disesteem; for his Majesty cannot expect, without better Help, but that his Allies must presently disband, and leave him alone to bear the Fury of a provoked and powerful Enemy; so as both he and you shall be unsafe at home, and ashamed and despised abroad. And for the Manner of the Supply, it is in itself very dishonourable, and full of Distrust; for although you have avoided the literal Word of a Condition, whereof his Majesty himself did warn you, when he told you of your Parenthesis; yet you have put to it the Effect of a Condition, since the Bill is not come into your House, until your Grievances be both preferred and answered. No such Thing was in that Expression and Engagement delivered by your Speaker, from which his Majesty holdeth that you have receded both in Matter and Manner, to his great Disadvantage and Dishonour. And therefore his Majesty commandeth, that you go together, and by *Saturday* next, return your final Answer, what further Supply you will add to this you have already agreed on; and that to be without Condition, either directly or indirectly, for the Supply of these great and important Affairs of his Majesty; which, for the Reasons formerly made known unto you, can endure no longer Delay; and, if you shall not by that Time resolve on a more ample Supply, his Majesty cannot expect a Supply this Way, nor promise you to sit longer together; otherwise, if you do it, his Majesty is well content, that you shall sit so long as the Season of the Year will permit; and doth assure you, that the present Addition to your Supply to set forward the Work, shall be no Hindrance to your speedy Access again.

An. 2 Charles I. 1626.

'His Majesty hath commanded me to add this, 'That therein he doth expect your chearful Obe-'dience, which will put a happy Issue to this Meet-'ing, and will enable his Majesty not only to a 'defensive War, but to employ his Subjects in 'foreign Actions, whereby will be added to them 'both Experience, Safety, and Honour.

'Last of all, his Majesty hath commanded me, 'in Explanation of the gracious Goodness of his 'Royal Intention, to say unto you, That he doth 'well know, that there are among you many wise 'and well tempered Men, well affected to the Pub-'lic, and to his Majesty's Service; and that those 'that are willingly faulty are not many: And, 'for the rest, his Majesty doubteth not, but, after 'his gracious Admonition, they will, in due Time, 'observe and follow the better Sort; which, if 'they shall do, his Majesty is most ready to forget 'whatsoever is past.

Then his Majesty spake again,

The King's further Speech.

I Must withal put you in mind a little of Time past; you may remember, that, in the Time of my blessed Father, you did, with your Counsel and Persuasion, persuade both my Father and me to break off the Treaty; I confess I was your Instrument for two Reasons; one was, the Fitness of the Time; the other, because I was seconded by so great and worthy a Body, as the whole Body of Parliament: Then there was no body in so great Favour with you, as this Man whom you seem now to touch, but indeed, my Father's Government and mine. Now that you have all Things according to your Wishes, and that I am so far engaged, that you think there is no Retreat; now you begin to set the Dice, and make your own Game: But, I pray you, be not deceived, it is not a Parliamentary Way, nor is it not a Way to deal with a King.

Mr. Coke *told you*, It was better to be eaten up by a Foreign Enemy, than to be destroyed at Home. *Indeed I think it more Honour for a King to be invaded, and almost destroyed by a Foreign Enemy, than to be despised by his own Subjects.*

Remem-

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Remember, that Parliaments are altogether in my Power for their Calling, Sitting, and Diſſolution; therefore, as I find the Fruits of them good or evil, they are to continue, or not to be: And remember, that, if in this Time, inſtead of mending your Errors, by Delay, you perſiſt in your Errors, you make them greater, and irreconcileable: Whereas, on the other Side, if you do go on chearfully to mend them, and look to the diſtreſſed State of Chriſtendom, *and the Affairs of the Kingdom, as it lieth now by this great Engagement, you will do yourſelves Honour, you ſhall encourage me to go on with Parliaments; and, I hope, all* Chriſtendom *ſhall feel the Good of it.* An. 2 Charles I. 1626.

The King being, very ſoon after this, informed that ſome Things in his own Speeches, and others in the Lord Keeper's, were ſubject to Miſunderſtanding, was willing to have them explained. A Meſſage from the Lords was ſent down to the Lower Houſe, *March* the 30th, to deſire a Conference with them, immediately, in the *Painted-Chamber*. Which, being accepted of, the Duke of *Buckingham*, as ordered by his Majeſty, made the following Declaration:

The Duke of Buckingham explains ſome Miſapprehenſions of the King's and the Lord Keeper's Speeches.

'WHEREAS it is objected by ſome, who wiſh a good Correſpondency betwixt the King and People, that to prefix a Day to give or to break, was an unuſual Thing, and might expreſs an Inclination in the King to break; to remove this, as his Majeſty was free from ſuch Thoughts, he hath deſcended to make this Explanation.

'That as his Majeſty would not have you condition with him directly or indirectly, ſo he will not lie to a Day, for giving further Supply; but it was the preſſing Occaſion of *Chriſtendom* that made him to pitch upon a Day.

'His Majeſty hath here a Servant of the King of *Denmark*, and another from the Duke of *Weymer*; and Yeſterday received a Letter from his Siſter the Queen of *Bohemia*, who ſignified that the King of *Denmark* hath ſent an Ambaſ-

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An. 2 Charles I. 1626.

'ſador, with Power to perfect the Contract which 'was made at the *Hague*; ſo it was not the King, 'but Time, and the Things themſelves that preſſed 'a Time.

'Therefore his Majeſty is pleaſed to give longer 'Time, hoping you will not give him Cauſe to 'put you in Mind of it again; ſo that you have a 'greater Latitude, if the Buſineſs require to think 'further of it.

'I am commanded further to tell you, that if 'his Majeſty ſhould accept of a leſs Sum than will 'ſuffice, it will deceive your Expectations, diſap-'point his Allies, and conſume the Treaſure of the 'Kingdom; whereas, if you give largely now, 'the Buſineſs being at the Criſis, it comes ſo ſea-'ſonably, it may give a Turn to the Affairs of '*Chriſtendom*.

'But while we delay and ſuffer the Time to 'paſs, others abroad will take Advantage of it, as 'the King of *Spain* hath done, by concluding a 'Peace, as 'tis thought, in *Italy*, for the *Valtoline*; 'whereby our Work is become the greater, becauſe 'there can be no Diverſion that Way.

'As it was a good Rule to fear all Things and 'nothing, and to be liberal was ſometimes to be 'thrifty; ſo in this Particular, if you give largely, 'you ſhall carry the War to the Enemy's Door, 'and keep that Peace at Home that hath been: 'Whereas, on the contrary, if you draw the War 'Home, it brings with it nothing but Diſturbance 'and Fear, all Courſes of Juſtice ſtopp'd, and 'each Man's Revenue leſſened, and nothing that 'can be profitable.

'Another Explanation I am commanded to make, 'touching the Grievances; wherein his Majeſty 'means no way to interrupt your Proceedings, but 'hopes you will proceed in the ancient Ways of 'your Predeceſſors; and not ſo much ſeek Faults, 'as the Means to redreſs them.

'I am further commanded to tell you, That 'his Majeſty intends to elect a Committee of both 'Houſes, whom he will truſt to take the View of

'his

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'his Eſtate, the Defects of which are not fit for the Eyes of a Multitude; and this Committee will be for your Eaſe, and may ſatisfy you, without caſting any ill Odour on his Government, or laying open any Weakneſs that may bring Shame upon us abroad. That which is propoſed, is ſo little, that when the Payment comes, it will bring him to a worſe Eſtate than now he is in; therefore, wiſhes You to enlarge it, but leaves the Augmentation to Yourſelves; but is ſorry, and touch'd in Conſcience, that the Burthen ſhould lie on the pooreſt, who want too much already; yet he will not preſcribe, but wiſh that you, who were the Abettors and Counſellors of this War, would take a greater Part of the Burthen to yourſelves; and any Man that can find out that Way, ſhall ſhew himſelf beſt affected, and do the beſt Service to the King and State.' An. 2 Charles I. 1626.

The Duke then made his Addreſs to them in his own Behalf.

My Lords and Gentlemen,

'YOU were all Witneſſes Yeſterday how good and gracious a Maſter I ſerve; and I ſhall likewiſe be glad, that you be Witneſſes how thankful a Heart I have. And alſo vindicates himſelf.

'And, I proteſt, I have a Heart as full of Zeal to ſerve my Maſter, as any Man; and it hath been my Study to keep a good Correſpondency betwixt the King and his People: And whatever Thought hath been entertain'd of me, I ſhall not alien my Heart from that Intention, but ſhall add Spurs to my Endeavours and Actions, to vindicate myſelf from ill Opinion.

'And however I lie under the Burden of the ſame, it lies in your Hands to make me happy or not; and, for my Part, I wiſh my Heart and Actions were known to you all; then, I aſſure myſelf, you would reſume me to your good Opinions.

'When I had, with ſome Hazard, waited on my Maſter into *Spain*, it is well known what Teſtimony I gave of my Religion; and no Man

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An. 2 Charles I. 1626.

'that comes to a true and near View of my Actions, can justly charge me. Let me be excused if I give Account of this Particular, when I should speak of the General; for this goes near my Heart, and to dissemble with my Conscience, no Ends of Fortunes in the World can make me do it: For, if I had any ill Inclination, I had such Offers made to me in *Spain*, as might have tempted me.

'If I would have been converted myself, I might have had the *Infanta* put in my Master's Bed; and, if my Discontent should have risen here, I might have had an Army to have come with me: But I thought the Offer foolish, ridiculous and scornful, in that Point of Religion.

'I will now take the Boldness to speak a little in the general Business; and I call it Boldness to speak after one who did so well the other Day; But I had rather suffer in my own Particular, than not refresh your Memories with that which is materially needful.

'I shall not need to reflect so far back, as to the Beginning of those Counsels which engaged my Master into the War, they are all well known; only I will so far touch it, as to say, that the last Year's Preparations were not voluntary, or out of Wantonness, but out of Necessity.

'My Master had good Intelligence, that the King of *Spain's* Eye was maliciously bent this Way; which had been pursued accordingly, if the Employment of the *Low-Country-Men* to the Bay of *Todos los Santos* had not diverted it.

'Now, for the Counsel which was used in sending out the Fleets, I will refer you to the Relation of the Lord *Conway*; who, as well in this as other Resolutions, can tell you, that nothing was carried with single Counsels: And, for myself, I know, that in all those Actions, no Man can stand up against me, to say, that I ever did go with single Counsels, or made Breach of any; but have been an obedient Servant and Minister unto their Resolutions: The Proof whereof will

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'appear in a Journal thereof, which my Lord *Conway* keeps. An. 2 Charles I. 1626.

'I confeſs all Counſels were not ever as yourſelves would, nor have wiſhed they ſhould; if you had known them as my Maſter did, in whom the former Affairs of State had bred ſuch Affections, that, the Buſineſs being altered, they were not to be truſted with the Change.

'I will now give you an Account of all my Negotiations, ſince my being at *Oxford*, both at Home and Abroad; and becauſe there it was charged, that thoſe Things were carried with ſingle Counſels, I was more careful to adviſe the King to have his Council with him in the Country, being to enter into War with an active King.

'And, for my Part, I did diligently wait on the Council, left all Recreations, all perſonal Occaſions, ſtudying to ſerve my Maſter, and to gain the good Opinion of both Houſes. The Council of *Woodſtock* generally adviſed the going out of the Fleet; and tho' it were objected, that the Seaſon were not fit, yet the Action ſhewed the contrary, for they all arrived in Safety. And for what was alſo objected, that the Proviſion was not good, Experience tells you the contrary; for the Preparations were all good in Quality and Proportion.

'And if the Succeſs were not ſuch as any honeſt Man could wiſh, I hope I ſhall not be blamed, not being there in Perſon, though I made the greateſt Suit for it to my Maſter, that ever I did for any thing: But his Majeſty thought my Service more uſeful in the *Low-Countries*, to comfort his Siſter, and to treat with the Kings of *Denmark*, *Sweden*, and the *States*.

'And though the Succeſs (as I ſaid) of the Fleet, were not anſwerable to the Deſires of honeſt Men, yet it had theſe good Effects: Firſt, it put our Enemy to great Charge in fortifying his Coaſts. Secondly, they took ſo many Ships as cauſed many of his Merchants to break, whereby the

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An. 2 Charles I. 1626.

'Army in *Flanders* ſuffered much: And laſtly, 'they could carry no Treaſure out to pay their 'Forces in *Flanders*.

'And for Omiſſions of what more might have 'been done, I leave that to its proper Place and 'Time, and let every Man bear his own Burden.

'From *Oxford* the Council went to *Southamp-* 'ton, where the *States* Ambaſſadors did wait often 'on the King and Council; and a League, Offen- 'ſive and Defenſive, betwixt us and them, was 'thought fit to be reſolved on, whereof ſome 'Reaſons I will expreſs, but not all. Firſt, they 'are of our own Religion. Secondly, they are 'our Neighbours, for Situation ſo uſeful, as when 'they are in Diſtreſs, it is Policy in us to give 'them Relief; therefore, the King thought fit to 'do it in ſuch a Manner, as might lay an Obliga- 'tion on them; which, if it had not been done, 'they had been preſſed with a long War, and ſuch 'a Faction among themſelves, as, if the King had 'not joined, and in a Manner appeared their Pro- 'tector, they had broke among themſelves. And 'in this, the King's Care was not only of them, 'but of all *Chriſtendom*, and of his own Particu- 'lar.

'For, as before he only aſſiſted them, his Ma- 'jeſty's Care now uſed Arguments to draw them 'to Contribution; ſo that they bear the fourth Part 'of the Charge of the War at Sea, according to 'ſuch Conditions, as, by the Lord Chamberlain, 'you have heard.

'This League being perfected between the 'States and us, his Majeſty, by Advice of his 'Council, thought fit to ſend me to get ſuch a 'League with the other Princes as I could. The 'Rendezvous was in the *Low-Countries*, being in 'a Manner the Centre for Repair for *England*, 'France, and *Germany*; I had Latitude of Com- 'miſſion to make the League with moſt Advan- 'tage I could.

'Now I had diſcovered from Monſieur *B*——, 'the *French* Ambaſſador here, that a League, Of-

'fenſive

'fenſive and Defenſive, would be refuſed; and I found the King of *Denmark* ſhy, and loath to enter into ſuch a League againſt the King of *Spain*; and ſo, partly out of Neceſſity, and partly out of Reaſons of State, I was forced to conclude the League in general Terms, for the reſtoring the Liberty of *Germany*, without naming the King of *Spain*, or the Emperor, that other Princes might come in; and this to continue till every one had Satisfaction; and nothing to be treated of, debated, or concluded on, but by Conſent of all Parties. It did appear, that the Charge was ſo great, that the Kingdom could not endure it; and therefore I endeavoured, in the *Low-Countries*, to leſſen it, and ſo the Sea-Charge was helped; and the Land-Aſſiſtance given unto them, is to ceaſe ſix Months hence; which the Lord *Conway* ſaid was to end in *September* next. An. 2 Charles I. 1626.

'Alſo, by this Treaty, it is conditioned with the King of *Denmark*, that when my Maſter ſhall, by Diverſion, equal to this Contribution with his own Subjects, enter into Action, then his Charge to ceaſe: Or if the King of *France* may be drawn in, of which there is great Hope (though he hath now made Peace in *Italy*) for that the Policy of *France* may not give Way unto the Greatneſs of the Houſe of *Auſtria* and Ambition of *Spain*, whoſe Dominions do graſp him in on every Side; and, if the Buſineſs be well carried, his Engagement to the King of *Denmark* may draw him in; ſo there is great Poſſibility of eaſing our Charge.

'But all is in the diſcreet taking of the Time; for, if not, we may think the King of *Denmark* will take hold of thoſe fair Conditions which are each Day offered him; and then the Enemy's Army will fall upon the River of *Elve*, and (the Lord *Conway* added) upon *Eaſt-Friezland*, from whence they would make ſuch Progreſs, as (in my poor Experience) would ruin the *Low-Countries*.

'And

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An. 2 Charles I. 1626.

'And thus, I think, I have satisfied all of you, or at least, given an Account of my Negotiation in the *Low-Countries*, with the King of *Denmark*, *Sweden*, and the rest.

'I should be glad, before I end, to say somewhat of myself, but I shall request your favourable Construction, for I have been too long already; but I fear I shall offend, and therefore I will restrain myself to Generals.

'If, in any of these Employments, my Errors may be shewed me, I shall take him for my best Friend, that will manifest them in particular. I have bent all my Thoughts on nothing but my Master's Honour, the Service of the State, and Safety of them both. I never had any End of mine own, and that may be perceived and proved by the Expence of mine own Estate. I am ashamed to speak it, and it would become another Man's Tongue better than mine own.

'My Journey into *Spain* was all at my own Charge; my Journey into *France* was at my Master's Charge; my Journey into the *Low-Countries* was all at my own Charge.

'I am accused, by common Fame, to be the Cause of the Loss of the Narrow Seas, and the Damage there sustained. What I can say is this, since the War began with *Spain*, I have always had twelve Ships on the Coasts, and Allowance but for four; the rest my own Care supplied. And, for the Office of Admiral, when I came first to it, I found the Navy weak, not neglected by my noble Predecessor (for I cannot speak of him but with Honour; and I shall desire to go to my Grave with the Honour he carried hence) but the not paying of Monies in Time, there were such Defects his Care could not prevent; that, if the War had then broken out, there would have been found but few Ships, and those unserviceable. I was first prevailed on to take this Office, by Persuasion of Sir *Robert Mansel*; and, though I objected I was young, and unexperienced, yet he said, that, by my Fa-

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'vour with my Master, I might do more Good in procuring Payment for that Charge; and, because I was young and unexperienced, I took Advice, as I do in all Things, and am not ashamed of it. I have desired my Master to grant a Commission, as it were, over me. I have found a great Debt, the Ships defective, and few in Number; the yearly Charge of 54,000*l.* which was brought to 30,000*l. per Annum*; we built every Year two Ships; and when so many were built as were requisite, we brought it to 22,000*l. per Annum*, which comes not into my Hands, but goes into its proper Streams, and issues from the Officers to that Purpose deputed. An. 2 Charles I. 1626.

'Now if any can shew me a Project, how to maintain a War against *Spain*, *Flanders*, and the *Turkish* Pirates with less Charge, he will do a great Work, and good Service. I have had sometimes twenty, sometimes thirty Ships, tho' sometimes disastered by Tempest, which dispersed the *Hollanders* Ships, and caused them to cut their Masts and forsake their Anchors.

'There are now twelve ships victualled for two Months; and, though many Reports have been, that they do not do their Duty, yet I have advertised them thereof, from Time to Time, and find no such Fault in them.

'There are thirty Ships more at *Plymouth*, victualled for six Months, and ten more ready, so soon as they may be victualled. I have been so frugal of making use of the old Remains, that there is no Need of Ammunition, or other Necessaries.

'Besides all these, there are twenty Ships to come from the *Low-Countries*; so you have twelve, twenty, thirty, and ten more, which I think you have not heard of.

'And therefore, if any have blamed me, I do not blame him, but think he hath done well; but when you know the Truth, and when all this shall appear, I hope I shall stand right in your Opinions.

'Gentle-

An. 1 Charles I. 1625.

'Gentlemen, it is no Time to pick Quarrels 'one with another; we have Enemies enough al- 'ready, and therefore more neceſſary to be well 'united at Home.

'Follow not Examples, at leaſt, not ill Exam- 'ples of *Gondomer* and *Ynojoſa*, who would have 'hid my Head, when you thought me worthy of 'a Salute. Now, though I confeſs there may be 'ſome Errors, I will not juſtify myſelf; yet they 'are not ſuch groſs Defects, as the World would 'make them appear. I deſire they may be ad- 'mitted, *cum Nota*.

'They are no Errors of Wilfulneſs, nor of 'Corruption, nor oppreſſing of the People, nor 'Injuſtice, but contrary; and then may I ſay, for 'what Good done by me do I ſuffer?

'And now I might anſwer more Particulars, 'but I have been long, and ſo will forbear; and 'will conclude, if your Supply anſwer not your 'Promiſes and Engagements to my Maſter, you 'will make this Place, which hath been in Peace, 'when others were in War, the Seat of War, 'when others are in Peace.

'Now, Gentlemen, you that were ancient Par- 'liament-Men, when this Counſel was firſt given, 'ſtrive to make good your own Engagement, for 'the Honour of your King, and your own Safety. 'Let Religion, in which I would be glad to be 'more watchful and induſtrious than any, unite 'your Hearts both at home and abroad; and you 'that are young Men, may in theſe Active Times 'gain Honour and Reputation, which is almoſt 'ſunk, and gain the ancient Glory of your Prede- 'ceſſors: And remember, it is for reſtoring to her 'Inheritance, the moſt virtuous Lady, I think, in 'the World.

'I have nothing more, but to intreat your cha- 'ritable Opinion of me and my Actions.'

For the further vindicating of the Duke, the Lord *Conway* ſtood up and ſaid,

'THAT

'THAT whereas divers Jealousies have been raised in the House, that the Monies have been expended unusefully, and without Counsel; himself who was the only Secretary, and had the Hand in guiding the Business, could best give an Account of it.

An. 2 Charles I. 1626.

Lord Conway's Vindication of the Duke.

'When King *James*, of glorious Memory, at the Request of both Houses, had broken both the Treaties, he considered how to maintain the War; for he saw that the King of *Spain* was awaked, and that the *Palatinate* must be got by the Sword, and that *Spain* would oppose it with all the Power they could; and computing the Charges, found the Subsidies granted too short; for that it could not be done without an Army of 25,000 Foot, and 5000 Horse, which would amount to 600,000 *l.* for the Armies yearly, and 300,000 *l.* for the Navy; but, finding all his Means short, and as the Proverb is, *Not knowing of what Wood to make his Arrows to hit the Mark withal*, Count *Mansfield*, stirred up by his own Judgment, came over and made Overture, That for 20,000 *l.* a Month, he would raise an Army of 30,000 Men, and draw in the *French* King, *Denmark*, *Sweden*, *Venice*, *Savoy*, the Cantons of the *Switzers*, and, perhaps, some other *German* Princes, and raise a War in *Alsatia*, of great Consequence to make a Diversion.

'Now about this Time, the Council of *Austria* resolved to call a Diet, and exclude the Count *Palatine*, and put in a *Popish* Elector; and, for that End, offered a general Peace in *Germany*, and so left not a Crevice to look into for Assistance; but if any of them should aid the Count *Palatine*, he should be out of the Peace.

'The King accepts *Mansfield's* Offer, conditionally, that he drew in the *French* King: So *Mansfield* went over into *France*; and the King, by Advice of his Council, sent Ambassadors into *France*, *Denmark*, *Venice*, *Savoy*, and Cantons of the *Switzers*, from whom he received cold Answers; for King *James* had stood so long on

Terms

Ann. 2 Charles I. 1626.

'Terms of Peace, as they doubted he would not 'be brought to enter into a War. But Count *Mansfield* procured the King of *France* to contract or receive our Troops, with Promise to enter into the War, upon Condition it might be regulated by the Council of the *French* King and *England*. This Favour to Count *Mansfield*, That *France* agreed that his Armies should join with the King's Troops, wrought the Princes of *Germany* to believe, that the King would enter into a War. Thereupon the Imperialists left their Diet, and sent *Tilly* to *Friezland*; and to take up the River of *Embden*; which, if he had obtained, they would have trampled the *Low-Countries* under foot, and would have become Governors of the Sea.

'Upon this, the King of *Denmark* sent to our King, and offered to raise an Army of 30,000 Men, if our King would allow 30,000*l.* a Month, and said, He would admit no Time of Respite; for if *Tilly* had not been presently met and headed, all had been lost. Whereupon, our King called a Council, and appointed Commissioners; and from that Time, all the Warrants for the issuing of the Monies, were all under the King's own Hand to the Council of War, and from them to the Treasurers, and the Warrants were from the Lords of the Council for the levying of Men, and for Coats and Conduct-Money. A List whereof is hereunder specified.

'Thereupon, the Duke asked the Question, 'Whether any thing was done by single Counsel?'

To which the Lord *Conway* answered, 'No: 'For the Treaty of *Denmark*, Project of Count *Mansfield's* Treaties with *France*, and the Business of the Navy, were done all by the King himself; and who can say it was done by single Council, when King *James* commanded it, whose Council every Man ought to reverence, especially in Matters of War, whereunto that King was not hasty?'

The

The Total of Monies paid by Warrants of the Treasurers of the Subsidy Money. An. 2 Charles I. 1626.

	l.	s.	d.	
In *Toto*, for the four Regiments of the *Low-Countries*, from the 13th of *June*, 1624, till the 21st of *July*, 1624	99878	0	6	Monies disbursed for the War.
For the Navy, from the 13th of *July*, 1624, till the 23d of *December*	37530	8	4	
For the Office of the Ordnance and Forts in *England*, from the 20th of *July*, 1624, till the 15th of *June*, 1625	47120	5	5	
To defray Charges for Forts in *Ireland*, about *October*, 1624	32295	18	4	
For the Service under Count *Mansfield*; for Provision of Arms, transporting of Soldiers, from the 4th of *October*, 1624, till the 10th of *December*, 1624	61666	13	4	
Sum Total	278497	5	11	

'*Memorandum*, That over and above the several Services before specified, and the several Sums issued, and to be issued by our Warrants for the same, we did long since resolve and order accordingly, that out of the Monies of the second and third Subsidies, these further Services should be performed, and Monies issued accordingly, *viz.*

'In full, of the Supply of all the Forts and Castles before-mentioned (surveyed *per* Sir *Richard Morison*, Sir *John Ogle*, Sir *John Kaye*, in *September*, 1623) with all Sorts of Munitions, according to several Proportions and Warrants for the same ——— 4973*l.*

'In full for the Reparations of all the said Forts and Castles, according to the said Survey ——— 19650*l.* 6*s.* 8*d.*

'But

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'But the ſaid Subſidies being not like to afford 'Means to perform theſe ſo neceſſary Works: We 'humbly commend the Supply of what ſhall be 'wanting for the ſame unto your Majeſty's princely Conſideration.'

After a Report was made to the Commons of this Conference, by Members appointed for that Purpoſe, the Houſe went upon framing a Remonſtrance to the King, by way of anſwer to his and the Lord Keeper's Speeches. This being perfected, and approved on by the Houſe, it was preſented to his Majeſty, *April* the 5th, by a ſelect Committee, and was as follows:

Moſt gracious Sovereign,

The Commons Anſwer to the King's and the Lord Keeper's Speeches.

'WHEREAS your Majeſty hath been pleaſed 'of late, at ſundry Times, and by ſeveral 'Means, to impart unto us your Royal Pleaſure, 'touching ſome Paſſages and Proceedings in this 'preſent Parliament: We do firſt, with unſpeakable Joy and Comfort, acknowledge your Majeſty's Grace and Favour, in that it hath pleaſed 'you to cauſe it to be delivered unto us by the 'Lord Keeper of your Great Seal, in your own 'Royal Preſence, and before both Houſes of Parliament, That never King was more loving to 'his People, nor better affected to the right Uſe of 'Parliaments; withal profeſſing your moſt gracious Reſolution to hear and redreſs our juſt Grievances. And, with like Comfort, we acknowledge your Majeſty's Goodneſs ſhining at the very 'Entrance of your glorious Reign, in commanding the Execution of the Laws eſtabliſhed to 'preſerve the true Religion of Almighty God, in 'whoſe Service conſiſteth the Happineſs of all 'Kings and Kingdoms.

'Yet let it not diſpleaſe your Majeſty, that we 'alſo expreſs ſome Senſe of juſt Grief, intermixed 'with that great Joy, to ſee the careful Proceedings of our ſincere Intentions ſo miſ-reported, as

'to

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to have wrought Effects unexpected, and, we hope, undeſerved. An. 2 Charles I. 1626.

'First, touching the Charge againſt us in the Matter concerning Mr. *Coke*: We all ſincerely proteſt, That neither the Words mentioned in your Majeſty's Meſſage, nor any other of ſeditious Effect, were ſpoken by him, as hath been reſolved by the Houſe, without one negative Voice. Howſoever, in a Speech occaſionally uttered, he did let fall ſome few Words which might admit an ill Conſtruction; whereat the Houſe being diſpleaſed at the Delivery of them, as was expreſſed by a general and inſtant Check, he forthwith ſo explain'd himſelf and his Intention, that, for the preſent, we did forbear to take them into Conſideration, which ſince we have done: And the Effect thereof had before this appeared, if, by importunate Buſineſs of your Majeſty's Service, we had not been interrupted.

'The like Interruption did alſo befall us in the Caſe of Dr. *Turner*; wherein the Queſtion being formally ſtated, a Reſolution was ordered to have been taken that very Day, on which we received your Majeſty's Command to attend you.

'But for our own Proceedings, we humbly beſeech your Majeſty to be truly informed, that before that Overture from Dr. *Turner*, (out of our great and neceſſary Care for your Honour and Welfare of your Realm) we had taken into ſerious Conſideration the Evils which now afflict your People, and the Cauſes of them, that we might apply ourſelves unto the fitteſt Remedies: In the Purſuit whereof, our Committees (whatſoever they might have done) have in no Particular proceeded otherwiſe, than either upon Ground of Knowledge in themſelves, or Proof by Examination of Witneſſes, or other Evidence. In which Courſe of Service for the Public Good, as we have not ſwerved from the Parliamentary Ways of our Predeceſſors, ſo we conceive, that the Diſcovery and Reforming of Errors, is ſo

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An. 2 Charles I. 1626. 'far from laying an Aſperſion upon the preſent 'Time and Government, that it is rather a great 'Honour and Happineſs to both, yielding Matter 'to great Princes, wherein to exerciſe and illu- 'ſtrate their nobleſt Virtues.

'And although the grievous Complaints of the 'Merchants from all Parts, together with the 'common Service of the Subjects well affected to 'thoſe who profeſs our Religion, gave us Occaſion 'to debate ſome Buſineſſes that were partly foreign, 'and had relation to Affairs of State; yet we be- 'ſeech your Majeſty to reſt aſſured, it was exceed- 'ing far from our Intention, either to traduce 'your Counſellors, or diſadvantage your Nego- 'tiations.

'And tho' ſome Examples of great and potent 'Miniſters or Princes, heretofore queſtioned in Par- 'liament, have been alledged; yet was it without 'paralleling your Majeſty's Government, or Coun- 'cils, to any Times at all, much leſs to Times of 'Exception.

'Touching the Letter of your Majeſty's Secre- 'tary; it was firſt alledged by your Advocate for 'his own Juſtification, and after, by Direction of 'the Committee, produced to make good his Alle- 'gation.

'And for the Search of the Signet-Office; the 'Copy of a Letter being divulged, as in your Ma- 'jeſty's Name, with pregnant Cauſe of Suſpicion, 'both in the Body and Direction thereof, to be 'ſuppoſititious; the Committee, out of Deſire to 'be cleared therein, did, by their Order, ſend ſome 'of themſelves to the Signet-Office, to ſearch 'whether there were any Records or Letters of 'that Nature, without Warrant to the Officer for 'any, much leſs for a general Search.

'But touching public Records, we have not 'forborn, as often as our Buſineſſes have required, 'to make Search into them, wherein we have 'done nothing unwarranted by the Laws of your 'Realm, and the conſtant Uſage of Parliaments. 'And if, for the Eaſe of their Labours, any of our

'Com-

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'Committees have desired the Help of the Officers An. 2 Charles I. 1626.
'Repertories, or Breviats of Direction, we conceive it is no more than any Subject, in his own 'Affairs, might have obtained for ordinary Fees.

'Now, concerning your Majesty's Servants, and, 'namely, the Duke of *Buckingham*; we humbly 'beseech your Majesty to be informed by us your 'faithful Commons, who can have no private End 'but your Majesty's Service, and the Good of 'our Country, That it hath been the ancient, 'constant, and undoubted Right and Usage of Par-'liaments to question and complain of all Persons, 'of what Degree soever, found grievous to the 'Common-Wealth, in abusing the Power and 'Trust committed to them by their Sovereign. 'A Course approved not only by the Examples in 'your Father's Days, of famous Memory, but by 'frequent Precedents in the best, and most glori-'ous Reigns of your noble Progenitors, appearing 'both in Records and Histories; without which 'Liberty in Parliament, no private Man, no Ser-'vant to a King, perhaps, no Counsellor, with-'out exposing himself to the Hazard of great En-'mity and Prejudice, can be a Means to call great 'Officers into question for their Misdemeanors; but 'the Common-Wealth might languish under their 'Pressures without Redress: And whatsoever we 'shall do accordingly in this Parliament, we doubt 'not but it shall redound to the Honour of the 'Crown, and Welfare of your Subjects.

'*Lastly*, We most humbly beseech your Majesty 'graciously to conceive, that though it hath been 'the long Custom of Parliaments to handle the 'Matter of Supply with the last of their Businesses; 'yet, at this Time, out of extraordinary Respect 'to your Person, and Care of your Affairs, we 'have taken the same into more speedy Considera-'tion; and most happily, on the very Day of your 'Majesty's Inauguration, with great Alacrity and 'unanimous Consent, after a short Debate, we 'grew to the Resolution for a present Supply well 'known to your Majesty.

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An. 2 Charles I. 1626.

'To which, if Addition may be made of other great Things for your Service, yet in Conſultation amongſt us, we doubt not but it will appear, That we have not receded from the Truth of our firſt Intention, ſo to ſupply you, as may make you ſafe at home, and feared abroad; eſpecially, if your Majeſty ſhall be pleaſed to look upon the Way intended in our Promiſe, as well as to the Meaſure of the Gift agreed.

'With the like Humility we beſeech your Majeſty not to give Ear to the officious Reports of private Perſons for their own Ends, which hath occaſioned ſo much Loſs of Time; nor to judge our Proceedings whilſt they are in Agitation, but to be pleaſed to expect the Iſſue and Concluſion of our Labours; which, we are confident, will manifeſt and juſtify to your Majeſty the Sincerity and Loyalty of our Hearts, who ſhall ever place in a high Degree of Happineſs the performing of that Duty and Service in Parliament, which may moſt tend to your Majeſty's Honour, and the Good of your Kingdom.'

The Commons adjourn by the King's Deſire.

After this Remonſtrance was read to the King by Secretary *Cook*, his Majeſty ſaid to the Committee, 'That he would not then give Anſwer to it; but expected and deſired that the Commons would adjourn, as the Lords had done, until the 13th of the ſame Month; and that then they would repair the Time they had hitherto loſt.' On the Report of this to the Houſe, a Debate aroſe, and the Queſtion being twice put, Whether to adjourn, or No? it was carried in the Affirmative, on a Diviſion 150 againſt 120; and the Houſe adjourned itſelf to *Thurſday* in *Eaſter* Week: The Party, in the Oppoſition to this, ſeeming, as if they had intended to ſit thro' the Holidays.

During this ſhort Receſs, we ſhall look back into ſome Proceedings of the Lords this Seſſion; in order to pave the Way for a full Explanation of what was to be done againſt the Duke of *Buckingham*, at the next Meeting of the Parliament.

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There is nothing material entered in their *Journals* this Session, till *March* 6, when the House was put in mind, that they had now sat a Month, and yet not considered of the State of the Nation, as it then stood with a great and potent Enemy, the *Spaniards* exasperated, and preparing great Forces for an Invasion: Therefore their Lordships were moved to appoint a Committee, to consider of the State of the Realm in general; and, in particular, of the Safeguard of the Seas; the Stores of Munition and Arms, and all Things incident thereto; and of fortifying the Forts. A Committee was appointed accordingly. An. 2 Charles I. 1626.

The Lords consider the State of the Realm;

The next Day, the Lord Keeper signified to the House, 'That his Majesty took special Notice of that Committee, and, with great Approbation thereof, commanded him to give their Lordships very hearty Thanks for their Zeal therein, to his Honour and the Safeguard of the Realm; and desired them to proceed in it with all Speed and Alacrity.'

For which the King gives them Thanks.

The same Day, a Report was made from this Committee, 'That the Master of the Ordnance had acquainted them with the great Want of Gunpowder in the Stores; which their Lordships thought fit to be provided.'

Also, 'That the said Committee thought proper that the following Particulars be offered to the Consideration of the House of Commons: 1. That a Fleet be presently set out against the King of *Spain*, to annoy him and prevent an Invasion of this Kingdom. 2. That another Fleet be set out to defend our own Coasts, and the Merchants from Pirates. 3. The Maintenance of the Armies under the King of *Denmark* and Count *Mansfield*. *Lastly*, To acquaint the Commons with the present State of this Kingdom and the Confederates thereof.

Upon this Report, the House resolved upon a Conference with the Commons; and a select Committee of each House, consisting of forty Lords, and a proper Number of the Commons, was appointed to meet at Three that Afternoon.

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An. 2 Charles I. 1626. The Archbiſhop of *Canterbury*, the Duke of *Buckingham*, the Lord Chamberlain, and the Earl of *Carliſle*, were ordered to manage the ſaid Conference. The Houſes ſat that Afternoon, and the Lords Committees, being returned from the Conference, reported, 'That they had fully related to the Commons the Cauſe of that Meeting; and that they had promiſed to deliver the ſame to their Houſe.'

A Conference with the Commons on the State of Affairs abroad.

There is nothing further ſaid of this Conference in the *Journals* of the Lords; and, in thoſe of the Commons, the Report made of it, by Mr. *Pymme*, and Sir *Nathanael Rich*, is left ſhort as to any thing more, than that the Lord Archbiſhop of *Canterbury*, and the Lord Chamberlain ſpoke both on the Occaſion. We are beholden to Mr. *Ruſhworth* for the Heads of a Speech made by *William* Earl of *Pembroke*, then Lord Great Chamberlain of *England*, to a Committee of the Commons at this Conference.

This noble Lord repreſented the State of *Chriſtendom* to them, how it ſtood before the Breach of the Treaties with *Spain*, and how ſince; he ſaid, 'That the Condition of the *Palatinate* was nothing bettered; that Count *Mansfield's* Army was raiſed, in order to make a Diverſion of the Catholic League in *Germany*; that the King of *Denmark* had thereupon engaged himſelf to ſtand or fall in this Quarrel, provided Supplies might be had from hence; that the *Swedes* were forward in it; and that his Majeſty had made a ſtrict Alliance with the *Hollanders*, upon theſe Terms, That they ſhould bear a fourth Part of the Expence of our Navy, and only have a fourth Part of the Spoils; the Lands and Cities conquered to be the King's. *Laſtly*, That the Fruits of all theſe rich Advantages would be loſt, if a ſpeedy Aſſiſtance was not reſolved on.'

After the Report of this Conference was made to the Commons, it was moved to conſider what Anſwer was fit to be given to the Lords, and then to go on with the Buſineſs before them. Others moved to go

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go on, as before, and give no Answer at all to them. On this, the Question being put, Whether to answer or not? the House divided, and it was carried in the Affirmative 226 against 166; and a Committee was appointed to consider of, and draw up an Answer to that Purpose. But we cannot find, by either *Journals*, that ever any Answer was returned to the Lords about this Business; the Commons seeming more intent on redressing Grievances at home, than troubling themselves about Affairs abroad. An. 2 Charles I. 1626.

The Lords, notwithstanding, went on with their Committee for the Defence of the Realm, *&c.* and, on the 24th of *March*, the Lord Treasurer reported to the House, That the said Committee had made several Agreements with Merchants for importing and making of Salt-Petre and Gunpowder; also, with the Armourers and Gun-Makers, in and about *London*, for providing a sufficient Quantity of those warlike Stores.—But their Care in these Things was soon interrupted by Affairs of a different Nature, which took up all the Attention of the House of Lords.

Digby Earl of *Bristol*, so much concerned in the late Negotiations in *Spain*, about the *Match*, &c. on his Return from thence, had been committed Prisoner to the *Tower*. This Earl had been also examined by a Committee of Lords, appointed by the King, touching those Affairs; and certain Propositions were made to him in order to his Release, and composing the Differences between the Duke and him. On his Refusal, in some Measure, to comply with the Terms, the Lord *Conway*, Secretary of State, wrote to him the following Letter, and received his Answer to it. The Case of Digby Earl of Bristol.

The LORD CONWAY, to the EARL of BRISTOL.

My Lord,

I Received a Letter from your Lordship, dated the 4th of this Month, written in Answer to a former Letter which I directed to your Lordship, by his The Secretary of State's Letter to him;

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An. 2 Charles I. 1626. *Majesty's Commandment. This last Letter, according to my Duty, I have shewed unto his Majesty, who hath perused it, and hath commanded me to write back to you again, that he finds himself nothing satisfied therewith. The Question propounded to your Lordship, from his Majesty, was plain and clear, Whether you did rather chuse to sit still without being questioned for any Errors pass'd in your Negotiations in* Spain, *and enjoy the Benefit of the late gracious Pardon granted in Parliament, whereof you may have the Benefit: Or whether, for the clearing of your Innocency, (whereof yourself, and your Friends and Followers, are so confident) you will be content to waive the Advantage of that Pardon, and put yourself into a legal Way of Examination for the Trial thereof. His Majesty's Purpose thereby, is not to prevent you of any Favours the Law hath given you; but if your Assurance be such as your Words and Letters import, he conceives it stands not with that public and resolute Profession of your Integrity to decline your Trial. His Majesty leaves the Choice to yourself, and requires from you a direct Answer, without Circumlocution of Bargaining with him for future Favours before hand; but if you have a Desire to make use of that Pardon which cannot be denied you, nor is any way desired to be taken from you, his Majesty expects you should at the least forbear to magnify your Service, and, out of an Opinion of your Innocency, cast an Aspersion upon his Majesty's Justice, in not affording you that present Fulness of Liberty and Favour which cannot be drawn from him, but in his good Time, and according to his good Pleasure.*

Thus much I have in Commandment to write to your Lordship, and to require your Answer clearly and plainly by this Messenger, sent on purpose for it, and so remain,

Your Lordship's

Whitehall, March 24, 1626.

Humble Servant,

CONWAY.

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An. 2 Charles I. 1626.

The EARL of BRISTOL to the LORD CONWAY.

My Lord,

I Have received your Letter of the 24th of March, *the 28th, and I am infinitely grieved to understand, that my former Answer to yours of the 4th of* March *hath not satisfied his Majesty, which I will endeavour to do to the best of my Understanding; and, to that End, shall answer to the particular Points of your present Letter with the greatest Clearness I am able.* The Earl's Answer.

First, *Whereas you say in your Letter, That the Question propounded to me was plain and clear,* viz.

Whether I would chuse to sit still without being questioned for any Errors pass'd in my Negotiations in Spain, *and enjoy the Benefit of the late gracious Pardon, whereof I may take the Benefit? Or whether, being content to wave the Advantage of that Pardon, I should put myself into a legal Way of Examination for the Trial thereof? &c.*

First, *Your Lordship may be pleased to remember your last Proposition was, whether I desired to rest in the Security I was in? which you now express, Whether I will chuse to sit still?*

Secondly, *Your Proposition was, Whether I would acknowledge the gracious Favour of his Majesty that now is, who had been pleased not to question my Actions? When it is best known to your Lordship, That, by a Commission of the Lords, I was questioned upon twenty Articles, divers involving Felony and Treason: Altho' it be true, That when I had so answered (as I am confident their Lordships would have cleared me) I was so unhappy as their Lordships never met more about that Business.*

But now your Proposition is, Whether I will now chuse to sit still without being further questioned for Errors pass'd? Whereas before it was required I should acknowledge, that I have not been questioned at all; which is a different Thing. But conferring both your Letters together, and gathering the Sense and Meaning, by making the latter an Explanation of the former,

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An. 2 Charles I. 1626.

mer, which I would have wished your Lordship would have more clearly explained, I returned unto your Lordship this plain and direct Answer.

That I understand, by the Security I am in, and sitting still, and not being further questioned, that I am restored to the bare Freedom and Liberty of a Subject and Peer; For if a Man be called in question by his Majesty, yet afterwards his Majesty shall be pleased, out of his Goodness, that he rest quiet and secure, and that he shall not be further questioned; I conceive that it is not apparent that his Liberty naturally revolveth unto him, when by his Majesty's Grace he is pleased to declare, he shall not be further questioned, but may live in further Security. So that, understanding your Letter in this sort, (for no direct Answer can be made, until the Sense of the Question be truly stated) I do most humbly acknowledge and accept of his Majesty's Grace and Favour, and shall not wave any thing that shall come to me by the Pardon of the 21 Jacobi Regis, nor by the Pardon of his Majesty's Coronation. And am so far from Bargaining, as you are pleased to express it, for future Favour (though I hope my humble and submissive Courses of petitioning his Majesty, neither hath nor shall deserve so hard an Expression) that I shall not presume so much as to press for any Favour, until my dutiful and loyal Behaviour may move his Majesty's Royal and Gracious Heart thereunto; but receive, with all Humbleness, this my Freedom and Liberty, the which I shall only make use of in such sort, as I shall judge may be most agreeable to his Majesty's Pleasure.

As for the second Part of your Letter, wherein you say, That if I desire to make use of that Pardon, his Majesty expects that I should at least forbear to magnify my Services; or, out of an Opinion of my own Innocency, cast an Aspersion upon his Majesty's Justice: To this Point I answer, That as I hope I shall never err in that sort of Immodesty, of valuing my Services, which I acknowledge to have been accompanied with infinite Weakness and Disabilities; so I trust it shall not displease, that I make use, to mine own Comfort, and

and the Honour of my Posterity, of those many written Testimonies, which my late most Blessed Master hath left me, of his gracious Acceptance of my Services for the Space of twenty Years: And likewise I hope the modest avowing of mine Innocency will not be thought to cast any Aspersion upon his Majesty's Honour or Justice. I must freely confess unto your Lordship, I am much afflicted to see Inferences of this Nature made, both in your Lordship's last Letter and in this. For if it shall be inferred, as a Thing reflecting upon the King's Honour, that a Man questioned shall not endeavour to defend his own Innocency before he be convicted, it will be impossible for any Man to be safe; for the Honour of his Majesty is too sacred a Thing for any Subject, how innocent soever, to contest against. So likewise, God forbid that it should be brought into Consequences, (as in your former Letter) as a Tax upon the Government and Justice of his late Majesty, and Majesty that now is, that I should have suffered so long Time, not being guilty. For as I never have been heard so much as to repine of Injustice in their Majesties, in all my Sufferings, so I well know, that the long Continuance of my Troubles may well be attributed unto other Causes; as, to my own Errors of Passion, or other Accidents: For your Lordship may well remember, that my Affairs were, almost two Years since, upon the Point of a happy Accommodation, had it not been interrupted by the unfortunate mistaking of the Speeches I used to Mr. Clark.

An. 2 Charles I. 1626.

I shall conclude by intreating your Lordship's Favour, that I may understand from you, as I hope for my Comfort, that this Letter hath given his Majesty Satisfaction; or if there should yet remain any Scruple, that I may have a clear and plain Signification of the King's Pleasure; which I shall obey with all Humility.

Your Lordship's humble Servant,

BRISTOL.

After

An. 2 Charles I. 1626.

After this, the Earl petitioned the Houſe of Lords, and ſhewed, 'That he, being a Peer of this Realm, had not received a Summons to Parliament, and deſired their Lordſhips to mediate with the King, that he might enjoy the Liberty of a Subject and the Privilege of his Peerage, after almoſt two Years Reſtraint without being brought to a Trial: And, if any Charge was brought againſt him, he prayed that he might be tried by Parliament.'

He petitions the Lords for his Writ of Summons.

Upon the Receipt of this Petition, the Lords referred it to the Committee of Privileges; from whom the Earl of *Hertford* reported, 'That it was neceſſary for their Lordſhips humbly to beſeech his Majeſty to ſend a Writ of Summons to the Earl of *Briſtol*; as alſo to ſuch other Lords whoſe Writs are ſtopped, except ſuch as are made uncapable to ſit there by Judgment of Parliament, or ſome other legal Courſe.'

Hereupon the Duke of *Buckingham* ſignified to the Houſe, That, upon the Earl's Petition to the King, his Majeſty had ſent him his Writ of Summons; and, withal, ſhewed the Lords a Copy of a Letter, wrote from the King to the ſaid Earl, dated *Jan.* 28, 1625, the Tenor of which followeth:

The King's Letter to the Earl of Briſtol.

WE have read your Letter addreſſed unto us by Buckingham, *and cannot but wonder that you ſhould, thro' Forgetfulneſs, make Requeſt to us of Favour, as if you ſtood evenly capable of it, when you know what your Behaviour in* Spain *deſerved of us, which you are to examine by the Obſervations we made, and know you well remember; how, at our firſt coming into* Spain, *taking upon you to be ſo wiſe, as to foreſee our Intention to change our Religion, you were ſo far from diſſuading us, that you offered your Advice and Secreſy to concur in it; and, in many other Conferences, preſſing to ſhew how convenient it was to be a* Roman Catholic, *it being impoſſible, in your Opinion, to do any great Action otherwiſe; and how much Wrong, Diſadvantage, and Diſſervice you did to the Treaty, and to the Right and Intereſt of our dear Brother and Siſter, and their Children; what Diſ-*

advantage,

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advantage, Inconvenience, and Hazard you intangled us in by your Artifices, putting off and delaying our Return home; the great Eſtimation you made of that State, and the low Price you ſet this Kingdom at; ſtill maintaining, that we, under colour of Friendſhip to Spain, *did what was in our Power againſt them, which they ſaid you very well knew: And, laſt of all, your approving of thoſe Conditions, that our Nephew ſhould be brought up in the Emperor's Court; to which, Sir* Walton Aſhton *then ſaid, That he durſt not give his Conſent for Fear of his Head: Your replying unto him, That without ſome ſuch great Action, neither Marriage nor Peace could be had.* An. 2 Charles I. 1626.

There is no Anſwer to this Letter in the *Journals*; but, inſtead of it, we find another Petition from the Earl, addreſſed to the Lords, on his receiving his Writ of Summons; to which he annexed the Lord Keeper's Letter and his Anſwer, and deſired to be heard in Accuſation of the Duke.

The HUMBLE PETITION *of* JOHN *Earl of* BRISTOL.

Humbly ſhewing unto your Lordſhips,

His ſecond Petition to the Lords, upon receiving his Writ of Summons.

'THAT he hath lately received his Writ of Summons to Parliament, for which he returned unto your Lordſhips moſt humble Thanks; but, jointly with it, a Letter from my Lord Keeper, commanding him, in his Majeſty's Name, to forbear his perſonal Attendance; and altho' he ſhall ever obey the leaſt Intimation of his Majeſty's Pleaſure, yet he moſt humbly offereth unto your Lordſhips wiſe Conſiderations, as too high a Point for him, how far this may trench upon the Liberty and Safety of the Peers, and the Authority of their Letters Patents, to be in this Sort diſcharged by a Letter Miſſive of any Subject, without the King's Hand; and, for your Lordſhips due Information, he hath annexed a Copy of the ſaid Lord Keeper's Letter, and his Anſwer thereunto.

'He

An. 2 Charles I. 1625.

'He further humbly petitioneth your Lordſhips, That having been, for the Space of two Years, highly wronged in point of his Liberty and of his Honour, by many ſiniſter Aſperſions which have been caſt upon him, without being permitted to anſwer for himſelf; which hath been done by the Power and Induſtry of the Duke of *Buckingham*, to keep him from the Preſence of his Majeſty and the Parliament, leſt he ſhould diſcover many Crimes concerning the ſaid Duke.

'He therefore moſt humbly beſeecheth, That he may be heard, both in the point of his Wrong, and of his Accuſation of the ſaid Duke: Wherein he will make it appear, how infinitely the ſaid Duke hath abuſed their Majeſties, the State, and both the Houſes of Parliament. And this, he is moſt confident, will not be denied, ſince the Court of Parliament never refuſeth to hear the pooreſt Subject ſeeking for Redreſs of Wrongs, nor the Acculation againſt any, be he never ſo powerful. And herein he beſeecheth your Lordſhips to mediate to his Majeſty, for your Suppliant's coming to the Houſe, in ſuch Sort as you ſhall think fitting; aſſuring his Majeſty, that all he ſhall ſay, ſhall not only tend to the Service of his Majeſty, and the State, but highly to the Honour of his Majeſty's Royal Perſon, and of his princely Virtues: And your Suppliant ſhall ever pray for your Lordſhips Proſperity.'

The LORD KEEPER to the Earl of BRISTOL.

Derſet-Court, March 31, 1626.

My very good Lord,

The Lord Keeper Coventry's Letter to him on that Occaſion.

BY his Majeſty's Commandment, I herewith ſend into your Lordſhip your Writ of Summons for the Parliament; but withal ſignify his Majeſty's Pleaſure herein further, That howſoever he gives way to the awarding of the Writ, yet his Meaning is thereby not to diſcharge any former Directions for Reſtraint of your Lordſhip's coming hither; but that you

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you continue under the same Restriction as you did before; so as your Lordship's personal Attendance here is to be forborne. And herein I doubt not but your Lordship will readily give his Majesty Satisfaction: And so I commend my Service very heartily unto your Lordship, and remain, An. 2 Charles I. 1626.

Your Lordship's

Assured Friend and Servant,

THO. COVENTRY, *C. S.*

The Earl of BRISTOL's Answer to the LORD KEEPER.

May it please your Lordship,

I Have received your Lordship's Letter of the 31st of March, *and, with it, his Majesty Writ of Summons for the Parliament. In the one, his Majesty commandeth me, that, all Excuses set aside, upon my Faith and Allegiance, I fail not to come and attend his Majesty; and this under the Great Seal of* England. *In the other, as in a Letter Missive, his Majesty's Pleasure is intimated by your Lordship, that my personal Attendance should be forborne. I must crave Leave ingenuously to confess unto your Lordship, that I want Judgment rightly to direct myself in this Case; as likewise, that I am ignorant how far this may trench upon the Privileges of the Peers of this Land, and upon mine and their Safety hereafter: For if the Writ be not obeyed, the Law calleth it a Misprision, and highly fineable, whereof we have had late Examples; and a Missive Letter being avowed or not, it is to be doubted would not be adjudged a sufficient discharge against the Great Seal of* England: *On the other Side, if the Letter be not obeyed, a Peer may, de facto, be committed upon a Contempt in the interim, and the Question cleared afterwards; so that in this Case, it is above mine Abilities. I can only answer your Lordship, that I will most exactly obey; and to the End I may understand which Obedience will be, in all Kinds, most suitable to my Duty, I will presently repair to my private Lodging at* London, *and there* And the Earl's Answer.

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An. 2 Charles I. 1626. *there remain, until, in this and other Causes, I shall have petitioned his Majesty, and understand his further Pleasure. For the second Part of your Lordship's Letter, where your Lordship saith,* That his Majesty's Meaning is not thereby to discharge any former Directions for Restraint of your Lordship's coming hither, but that you continue under the same Restriction as before; so that your Lordship's personal Attendance here is to be forborne: *I conceive your Lordship intendeth this touching my coming to Parliament only; for as touching my coming to* London, *I never had at any Time one Word of Prohibition, or colourable Pretence of Restraint; but, on the contrary, having his late Majesty's express Leave to come to* London *to follow my Affairs, out of my Respect to his Majesty, then Prince, and to the Duke of* Buckingham, *I forbore to come until I might know whether my coming would not be disagreeable unto them. Whereunto his Majesty was pleased to answer, both under the Hand of the Duke, and of Mr. Secretary* Conway, *That he took my Respect unto him herein in very good Part, and would wish me to make Use of the Leave the King had given me. Since which Time I never received any Letter or Message of Restraint, only his Majesty, by his Letter, bearing Date in* June *last, commanded me to remain as I was in the Time of the King his Father; which was with Liberty to come to* London *to follow my own Affairs as I pleased, as will appear unto your Lordship, if you will afford me so much Favour as to peruse it. I have writ thus much unto your Lordship, because I would not, thro' Misunderstanding, fall into Displeasure by my coming up, and to intreat your Lordship to inform his Majesty thereof: And that my Lord* Conway, *by whose Warrant I was only restrained in the late King's Time, of famous Memory, may produce any one Word, that may have such as any colourable Pretence of debarring my coming up to* London. *I beseech your Lordship to pardon my Desire to have Things clearly understood; for the Want of that formerly hath caused all my Troubles; and when any Thing is misinformed concerning me, I have little or*

no

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no Means to clear it; so that my chief Labour is to avoid Misunderstanding. I shall conclude with beseeching your Lordship to do me this Favour, To let his Majesty understand, that my coming up is only rightly to understand his Pleasure, whereunto I shall, in all Things, most dutifully and humbly conform myself. And so, with my humble Service to your Lordship, I recomend you to God's holy Protection, and remain,

An. 2 Car. I. 1626.

Your Lordship's

Sherborn, April 12, 1626.

Most humble Servant,

BRISTOL.

After the Reading of these, the Lord Keeper delivered this Message from the King to the House of Lords.

The King's Message to the House of Lords, charging the Earl of Bristol with several high Offences.

'That his Majesty hath heard of a Petition preferred unto this House by the Earl of *Bristol*, so void of Duty and Respect to his Majesty, that he hath great Cause to punish him: That he hath also heard with what Duty and Respectfulness to his Majesty their Lordships have proceeded therein, which his Majesty conceiveth to have been upon the Knowledge they have that he hath been restrained for Matters of State; and his Majesty doth therefore give their Lordships Thanks for the same, and is resolved to put the Cause upon the Honour and Justice of their Lordships and this House. And thereupon his Majesty commanded him (the Lord Keeper) to signify to their Lordships his Royal Pleasure, That the Earl of *Bristol* be sent for as a Delinquent, to answer in this House his Offences committed in his Negotiations before his Majesty's being in *Spain*, [*his Offences whilst he was in* Spain] (*a*) and his Offences since his Majesty's coming from *Spain*; his scandalizing the Duke of *Buckingham* immediately, and his Majesty by Reflexion, with whose Privity, and by whose Directions, the Duke did guide his Actions, and without which he did nothing. All which his Majesty will cause to be charged against him before their Lordships in this House.'

(*a*) Omitted in *Rushworth*.

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An. 1. Car. I. 1626.

The Lords appointed a Committee to attend the King, and to preſent their humble Thanks to his Majeſty, for the Truſt and Confidence he had placed in the Honour and Juſtice of their Houſe.

During the Receſs of Parliament the Duke of *Buckingham* was taking great Pains to ward off the Blow intended againſt him by the Commons, in which the King was his principal Agent; but in vain, for that Houſe was reſolved to carry on the Proſecution againſt him. *Ruſhworth* informs us, 'That it was intimated to the Duke, in a written Paper ſent him, that he ſhould get the King to ſignify to a certain Number of Lords, that he had endeavoured to divert the Charge againſt the Duke, becauſe his Majeſty had found Knowledge and Experience of his Service and Fidelity; at the ſame Time to reveal ſome Myſteries of State to them, there mentioned, in which the Duke might ſeem culpable, but was not; and theſe were to be dictated to the King, for him to ſpeak to the Lords.'—But ſince this private Intimation hath no other public Authority than the *Collector's* to ſupport it, we ſhall wave the Matter, and proceed to Things of more certain Proof.

April 13. The two Houſes met again, purſuant to Adjournment. The firſt Matters of Moment the Commons went upon, was to order the Committee, appointed to prepare a Petition with the Names of *Recuſants*, &c. in Authority, to meet and proceed in that Buſineſs: Alſo the Report concerning Dr. *Montag'us* Books, to be made to the Houſe on the 17th Inſtant.

Nothing happening in the Interval, worth Notice; on the Day aforeſaid Mr. *Pymme* reported the Buſineſs concerning the ſaid Books, and the Opinion of the Committee on theſe three Caſes:

Reſolution of the Commons againſt Dr. Montagu;

1. 'That *Montagu* had diſturbed the Peace of the Church, contrary to the Doctrine thereof, publiſhed in the 39 Articles, in 1582, and to the Book of Homilies; confirmed by Parliament.'

2. 'That

2. 'That in these Books were divers Matters tending to Sedition, by setting the King against the People, and the People one against another.' An. 2 Car. I. 1626.

3. 'That the whole Scope of the Books were to discountenance the true Profession of Religion here established, and so to draw the People to *Popery*, and reconcile them to the Church of *Rome*.'

'That the Committee were fully of Opinion, *Montagu* stood convicted of all the three Heads of the Charge; and that, as a public Offender against the Peace of the Church, he should, by this House, be presented to the Lords, there to receive Punishment according to his Demerits.'

The further Debate and Resolution about this Affair was deferred to another Day, and the Committee were ordered to deliver their Opinions to the House what was best to be done, for preventing the Danger which may happen by other Books of this Kind. Some Days after it was agreed to petition his Majesty on this last Article, and the Answer returned was, 'That the King did not slightly pass over the Message; but questioned whether that House had Power to examine the Doctrine, or no. He expressed his Dislike to Dr. *Montagu's* Writings, and said, he would refer the Doctrine in them to the Convocation-House; and would, for the future, take special Care for the Examination of all Books, which should be printed, for avoiding any Matter of Sedition, &c.' Which are presented to the King. His Majesty's Answer.

But we shall leave this Affair for the present, to go upon much greater Matters, which engrossed the Attention of both Lords and Commons; and which will very properly begin our next Volume.

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TAXES *during the Reigns of* HENRY VIII. EDWARD VI. MARY, ELIZABETH, *and* JAMES I.

HENRY VIII.

IN the first Year of this King's Reign, he had a Supply, by Parliament, of *two Tenths* and *two Fifteenths*.

In his second, *two Tenths* and *two Fifteenths*, with *Tonnage* and *Poundage*, for carrying on a War against *France*.

In his fourth, a Grant of two more *Tenths* and *Fifteenths* besides a *Poll-Tax*, on account of an Invasion from the *Scots*.

In his sixth, *Tonnage* and *Poundage* was granted, and a *Subsidy*; but the Value of the latter uncertain.

During an Interval of Parliaments, from the seventh to the fourteenth Year of his Reign, divers arbitrary Means were made Use of for raising Money. And,

In the fourteenth he had also a *Subsidy*.

In his seventeenth Year, Commissioners were sent into every County, for levying the sixth Part of every Layman's Goods, and the fourth of the Clergy; but no Parliament was called till the twentieth; in which Year an Act passed to discharge him of certain Debts; which the Clergy, by another Act, were required to pay.

In his twenty-third Year, he had a *Fifteenth*, for the Defence of the Northern Borders: And,

In his twenty-sixth, a *Subsidy* of a *Tenth* and *Fifteenth*, besides a Grant of the *first Fruits* and *Tenths* of all spiritual Dignities, Benefices, *&c.*

In his thirty-second Year, he had a *Subsidy* of *one Fifteenth* and a *Tenth*, and 4 s. in the Pound from the Clergy.

In his thirty-fourth Year, a very large *Subsidy*, for a War with *Scotland* and *France*; and, in the next, he issued a Commission to raise Money by Benevolence.

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In his thirty-ſeventh, he had a *Subſidy* of 2s. 8d. in the Pound on Goods, 4 s. on Land, and 6 s. from the Clergy; beſides the immenſe Sums that came into his Hands by the Suppreſſion of Monaſteries, Abbies, Hoſpitals, &c.

EDWARD VI.

In the firſt Year of this Reign *Tonnage* and *Poundage* was granted for the King's Life; beſides the Revenues ariſing from Suppreſſion of Chauntries, &c.

In the next Year he had a Relief granted him out of Sheep, Cloths, Goods, Debts, &c. and 6 s. in the Pound from the Clergy.

In his third Year, ſo much as related to Sheep and Cloths were releaſed; But the Relief for Goods continued. A *Subſidy* was alſo granted him of 1 s. in the Pound on Goods, and of every Alien 2 s.

In the ſeventh, and laſt Year of his Reign, he had a *Subſidy* of *two Tenths* and *two Fifteenths*. The Clergy alſo gave 6 s. in the Pound.

MARY.

In her firſt Year ſhe had *Tonnage* and *Poundage* for Life.

In her third Year ſhe had a *Subſidy* from the Temporality, and 6 s. in the Pound from the Clergy.

In her ſixth Year ſhe had one *Subſidy* of 4 s. in the Pound on Lands, and 2 s. 8 d. on Goods; alſo 8 s. in the Pound from the Clergy, and *one Fifteenth* from the Laiety.

ELIZABETH.

In the firſt Year of this Queen's Reign ſhe had a *Subſidy* of *two Fifteenths* and *two Tenths*; alſo *Tonnage* and *Poundage* was granted her for Life.

In her fifth Year ſhe had a Supply of *one Subſidy*, *two Fifteenths* and *two Tenths*; beſides a Grant of 6 s. in the Pound from the Provinces of *Canterbury* and *York*.

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In her eighth, *one Fifteenth*, *one Tenth*, and a *Subsidy* from the Temporality; besides a *Subsidy* from the Clergy of 4 s. in the Pound.

In her thirteenth, she had a Grant of *two Fifteenths*, and *Tenths*, and a *Subsidy* from the Temporality; besides 6 s. in the Pound from the Clergy.

In her eighteenth, a Grant of a *Subsidy*, and of *three Fifteenths* and *Tenths*; besides 6 s. in the Pound from the Clergy.

In her twenty-third another Grant of a *Subsidy*, and of *two Fifteenths* from the Temporality; and 6 s. 8 d. in the Pound from the Clergy.

In her twenty-sixth, a Grant of *one entire Subsidy*; which was (according to *Stowe*) 2 s. 8 d. on Goods, and 4 s. on Lands, and *two Fifteenths* from the Temporality: Also 6 s. in the Pound from the Clergy.

In the twenty-eighth, *one Subsidy* and *two Fifteenths* from the Temporality, and *one Subsidy* from the Clergy of 6 s. in the Pound; besides which both Houses joined in a *Benevolence* of 2 s. in the Pound.

In the thirtieth, an Act passed for granting *four Fifteenths* and *two Subsidies* from the Laiety: Also *two Subsidies*, of 6 s. in the Pound, from the Clergy, to be paid yearly at 2 s.

In her thirty-fourth, a Grant of *three Subsidies*, and *six Fifteenths* and *Tenths*, by the Temporality; and *two Subsidies*, of 4 s. from the Clergy.

In the thirty-ninth, *the entire Subsidies*, and *six Fifteenths* and *Tenths*, from the Temporality; and from the Clergy, *three Subsidies* of 4 s. in the Pound, to be paid at six several Payments.

In her forty-third, a Grant of *four entire Subsideis*, and *eight Fifteenths* and *Tenths*, from the Laiety; and *four Subsidies*, of 4 s. in the Pound, from the Clergy.

JAMES I.

In his first Year he had *Tonnage* and *Poundage* for Life.

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In his second Year there was an Act for assigning certain Sums of Money, for defraying the Charges of the King's Houshold.

In his third *three entire Subsidies*, and *six Fifteenths*, from the Temporality; and *four Subsidies*, of 4 s. in the Pound, from the Clergy.

The eighth Year, *one entire Subsidy*, and *one Fifteenth*, from the Temporality; and 6 s. in the Pound from the Clergy.

In his tenth Year he had an *Aid* (according to antient Custom) for the Marriage of his Daughter *Elizabeth* to *Frederick*, the Elector *Palatine*.

In his eighteenth, *two entire Subsidies* by the Temporality; also *three* from the Clergy: And,

In his twenty-second *three entire Subsidies*, with *three Fifteenths* and *Tenths*, were granted to be paid conditionally, *viz.* within one Year after the King's utter Dissolution of the two Treaties with *Spain*, *viz.* the *Marriage* and the *Palatinate*: And *four entire Subsidies* were also granted by the Spirituality.

The PRICE *of* PROVISIONS *and* LABOUR *during the foregoing Reigns* (*b*); *whereby the Reader may be able to form some kind of Judgment concerning the Value of the* TAXES *and* SUBSIDIES.

IN the Year 1510, Oats sold at 2 s. *per* Quarter, and Hay at 9 s. *per* Load.—In 1511, Oats 2 s. and Beans, 3 s. 4 d. *per* Quarter; Hay, 5 s. *per* Load.—In 1513, Oats, 2 s. 4 d. and Beans 4 s.

In 1514, the Price of Wages of Workmen, and Servants by the Year, Day, *&c.* in Husbandry: A chief Hind, Carter, and Shepherd, each 1 l. *per Ann.* Cloathing, with Diet, 5 s. Common Servant of Husbandry, 16 s. 8 d. Cloathing, 4 s. Women Servants yearly Wages 10 s. Cloathing, 4 s.—The Wages, by the Day, of a Workman, from *Easter* to *Michaelmas*: A Free Mason, at Diet, 4 d. without 6 d. A Master Carpenter, a rough Mason, a Tiler, a Plummer, a Bricklayer, a Glazier, a Carver, and a Joiner,

(*b*) We are obliged to Bp. *Fleetwood's Chronicon Preciosum* for the most of these: The rest have been collected out of our old *English* Historians, Acts of Parliament, *&c.*

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a Joiner, the ſame. From *Michaelmas* to *Eaſter*, with Diet, 3 d. without 5 d. — A Shipwright's Wages, from *Candlemas* to *Michaelmas*: A Maſter Carpenter, with Diet, 5 d. without, 7 d. a Hewer, with, 4 d. without, 6 d. An able Clincher, with, 3 d. without, 5 d. An Holder, with, 2 d. without, 4 d. A Maſter Calker, with, 4 d. without, 6 d. A mean Calker, with 3 d. without, 5 d. a Calker, labouring by the Tide, with, 4 d. without, 6d. From *Michaelmas* to *Candlemas*, the Maſters Wages diminiſhed 1 d. and ſo in proportion the reſt.— from *Eaſter* to *Michaelmas*, other Labourers had, *per Diem*, (except in Harveſt) with Diet, 2 d. without, 4 d. From *Michaelmas* to *Eaſter*, ditto, with Diet 1 d. without, 3 d. — In Harveſt, a Mower, with Diet, 4 d. without, 6 d. a Reaper and a Carter, with, 3 d. without 5 d. A Woman Labourer, and other Labourers, with, 2½ d. without, 4½ d.

In the Years 1518 and 1519, the Conqueſt of *Mexico* was made by *Hernando Cortes*, a *Spaniard*, and the Foundation of the Kingdom of *New Spain* was laid. A great Quantity of Gold and Silver being imported into *Europe* from thence, Money became more plentiful, and Trade diffuſing itſelf every where; there ſoon appeared more numerous Armies, greater Magnificence in Princes Courts, the Dowries of Princeſſes much enlarged, and the Price of Proviſions enhanced. *Spain* was the firſt Nation that aggrandized itſelf by it; and it was this vaſt Treaſure that occaſioned *Charles* V. and *Philip* II. to aſpire to univerſal Monarchy (*c*).

In 1521 was a Dearth; Wheat ſold for 1 l. *per* Quarter.—In 1526, Oats, 3 s. and Beans, 4 s. 2d. — In 1530, Oats, 4 s. Beans, 5 s. 4 d. And in 1532, Oats, 3 s. 10 d. Beans, 5 s. 4 d.—In 1533, it was enacted by Parliament, that Beef and Pork ſhould be ſold for one Halfpenny a Pound, and Veal or Mutton for three Farthings (*d*)—In 1537, Oats, 3 s. 4 d. *per* Quarter; Beans, 6 s. The Price of *Gaſcoygne*, *Guyenne*, or *French* Wines were ſettled, by

(*c*) Lord *Herbert*, p. 34. (*d*) 24 *Henry* VIII. *Cap.* iii.

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by Parliament, at 8 d. the Gallon; Malmſeys, Romneys, Sack, and other ſweet Wines, at 12 d. by Retail (*e*).—In 1543, Oats, 3 s. 4 d. Beans, 6 s. 8 d.—In 1550, a large Houſe in *Channon-Row*, *Weſtminſter*, within the Precincts of the Court, was lett to the Comptroller of the King's Houſhold, at 30 s. *per Ann.*—In 1551, Wheat, 8 s. *per* Quarter; Malt, 5 s. 1 d. Malmſey, 4 d. *per* Quart; Oats, 8 s. Straw, 5 s. *per* Load; Coals, 12 s. *per* ditto.—In 1552, Barley, 5 s.—In this Year the Price of *French* Wines, of *Gaſcoygne*, and *Gueynne*, were ſettled, by Parliament, at 8 d. *per* Gallon; Wines of *Rochel*, at 4 d. and no other Wines of higher Value, to be ſold for more than 12 d. (*f*)—In 1553, Wheat, 8 s. *per* Quarter; Malt, 5 s. *Muſcadel* Wine, 6 d. *per* Quart; Malmſey ditto, 5 d. Red Wine, 3 d.—In 1554, Wheat, at 8 s. Rye, 6 s. 8 d. Malt, 5 s.—In 1555, Wheat, 8 s. Rye, 16 s. Malt, 5 s.—In 1556, Wheat, 8 s. Malt, 5 s. Beans, 6 s. 8 d.—In 1557, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats, 10 s. For threſhing a Quarter of Wheat, 1 s. 1 d. For threſhing a Quarter of Rye, 10 d. For ditto Barley, 5 d. This Year, before Harveſt, Wheat was 2 l. 13 s. 4 d. *per* Quarter; Malt, 2 l. 4 s. Beans and Rye, 2 l. Peaſe, 2 l. 6 s. 8 d. But, after Harveſt, Wheat, at *London*, was ſold for 5 s. Malt, 6 s. 8 d. Rye, 3 s. 4 d. and, in the Country, Wheat was 4 s. Malt, 4 s. 8 d. Rye, 2 s. 8 d. *per* Quarter: So that a Penny Wheat-Loaf, which, before Harveſt, was 11 Ounces, was, after Harveſt, 56. In this Year Queen *Mary* borrowed, of the City of *London*, 20,000 l. at 12 *per Cent.*—In 1558, Wheat, 8 s. *per* Quarter: Rye, 8 s. Barley, 5 s. A good Sheep ſold for 2 s. 10 d.—In 1559, Wheat, 8 s. Rye, 8 s.—In 1560, Wheat, 8 s. Rye, 8 s. Barley, 5 s. 2 d. Oats, 5 s. Old Hay, 12 s. 6 d. *per* Load; new Hay, 6 s. 8 d.—In 1561, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats 5 s.—In 1562, Wheat, 8 s. Barley, 5 s. Hay, 13 s. 4 d. *per* Load; Straw, 6 s. Claret,

(*e*) 28 *Henry* VIII. *Cap.* xiv. (*f*) 7 *Edward* VI. *Cap.* v.

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Claret 2 l. 10 s. *per* Hogſhead.—In 1563, Rye, 13 s. 4 d. Oats, 5 s.—In 1574, a Dearth; and Wheat was 2 l. 16 s. *per* Quarter; Beef, 1 s. 10d. *per* Stone; and Herrings only five for 2 d. Bay Salt, (never ſo dear) 6 s. the Buſhel. After Harveſt Wheat was 1 l. 4 s. and continued ſo about a Year.—In 1587, Wheat was 3 l. 4 s. *per* Quarter, at *London*; and in other Places at 10 s. 12 s. and 13 s. *per* Buſhel, occaſioned by exceſſive Tranſportation.—In 1594, Wheat, 2 l. 16 s. Rye 2 l.—In 1595, Wheat, by great Tranſportation, 2 l. 13 s. 4 d. A Hen's Egg, 1 d. or, at beſt, three for 2 d. A Pound of ſweet Butter, 7 d.—In 1596, Wheat, by reaſon of great Rains, at 4 l. *per* Quarter; Rye, 2 l. 8 s. Oat Meal, 8 s. the Buſhel.—In 1597, Wheat was 5 l. 4 s. and fell to 4 l. *per* Quarter; Rye from 9 s. to 6 s. *per* Buſhel, and then to 3 s. 2d. and afterwards roſe again to the greateſt Price. Biſhop *Goodwin* ſays, Wheat was once this Year at 13 s. 4 d. *per* Buſhel.—In 1598, Pepper, 8 s. *per* Pound; Raiſins, 6 d. *Gaſcoygne* Wine, 2 s. 8d. *per* Gallon; ſweet Wine, 4 s.—And, in 1603, Ale and ſtrong Beer was ſettled, by Act of Parliament, to be ſold, in Ale-houſes, at one Penny the Quart, and ſmall Beer at two Quarts for a Penny (*g*).

(*g*) The 1ſt of Jac. I. Cap. ix.

A LIST

A LIST OF COUNTIES and BOROUGHS,

Which return'd Members *to* Parliament *at the Time of the Acceſſion of* K. HENRY VIII. *to the Crown.*

Bedfordſhire
Bedford

Berkſhire
New-Windſor
Reading
Wallingford

Buckinghamſhire
Chipping Wicomb

Cambridgeſhire
Cambridge Town

Cornwall
Dunhivid alias *Lanceſton*
Leſkard
Leſtwithiel
Truro
Bodmin
Helſton

Cumberland
Carliſle City

Derbyſhire
Derby

Devonſhire
Exeter City
Totneſs
Plymouth
Barnſtaple
Plympton
Taviſtock
Clifton-Dartmouth-Hardineſs

Dorſetſhire
Peel
Dorcheſter
Lyme-Regis
Weymouth
Melcomb-Regis
Bridport
Shafton alias *Shaftsbury*
Warcham

Eſſex
Colcheſter
Malden

Glouceſterſhire
Glouceſter City

Herefordſhire
Hereford City
Leominſter

Hertfordſhire

Huntingdonſhire
Huntingdon

Kent
Canterbury City
Rocheſter City

Lan-

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Lancaſhire

Leiceſterſhire
Leiceſter

Lincolnſhire
Lincoln City
Great-Grimſby
Stamford
Grantham

Middleſex
London City

Norfolk
Norwich City
Lyn-Regis
Great-Yarmouth

Northamptonſhire
Northampton

Northumberland
Newcaſtle upon Tyne

Nottinghamſhire
Nottingham

Oxfordſhire
Oxford City

Rutlandſhire

Salop
Salop Town
Bruges alias *Bridgenorth*
Ludlow
Great-Wenlock

Somerſetſhire
Briſtol City
Bath City
Wells City
Taunton
Bridgewater

Southampton
Wincheſter City
Southampton
Portſmouth

Staffordſhire
Stafford
Newcaſtle under *Line*

Suffolk
Ipſwich
Dunwich

Surry
Southwark
Blechinley
Rygate
Guilford
Gatton

Suſſex
Chicheſter City
Horſham
Midhurſt
Lewes
New-Shoreham
Bramber
Steyning
Eaſt-Grinſtead
Arundel

Warwickſhire
Coventry City
Warwick

Weſtmoreland
Apulby

Wiltſhire
New-Sarum City
Wilton
Downeton
Hindon
Heiteſbury

Weſt-

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Weſtbury
Calne
Devizes
Chippenham
Malmeſbury
Cricklade
Great-Bedwin
Ludgerſhal
Old Sarum
Wootton-Baſſet
Marlborough

Worceſterſhire
Worceſter City

Yorkſhire
York City
Kingſton upon *Hull*
Scarborough

Cinque-Ports
Port of *Haſtings*
Port of *Dover*
Port of *Sandwich*
Port of *Hythe*
Port of *New-Romney*
Town of *Rye*
Town of *Winchelſea*

Counties and Boroughs	148
Members	298

A LIST

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A

LIST

OF

COUNTIES and BOROUGHS,

To whom the Privilege of ſending Repreſentatives to Parliament *was granted or reſtored,*

By King HENRY VIII.

ANgleſey *County*
Beaumaris Town
Brecon *County*
Brecon Town
Cardigan *County*
Cardigan Town
Carmarthen *County*
Carmarthen Town
Carnarvon *County*
Carnarvon Town
Denbigh *County*
Denbigh Town
Flint *County*
Flint Town
Glamorgan *County*
Cardiff Town
Merioneth *County*
Montgomery *County*
Montgomery Town
Pembroke *County*
Pembroke Town
Haverford-Weſt T.
Radnor *County*
New-Radnor Town
Monmouth *County*
Monmouth Town
Buckingham Town
Berwick upon *Tweed*
Cheſhire
Cheſter City
Orford
Calais *in* France

Counties and Boroughs 32 — *Members* 38

By King EDWARD VI.

Saltaſh
Camelford
Portpigham alias *Wigtow*
Grampound
Beſſiney
St. Michael
Newport
St. Albans
*Maidſtone**
Preſton
Lancaſter
Wigan
Liverpool
Boſton
Weſtminſter
Thetford
Peterborough
Brackley
Petersfield
Litchfield
Heydon
Thirſk

Boroughs 22 — Members 44

By

* It forfeited its Privilege under Queen *Mary*, by adhering to *Wyat*'s Rebellion; but was reſtored by Queen *Elizabeth*.

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By Queen MARY.

Abingdon	*Woodſtock*
Aileſbury	*Banbury*
Penryn	*Droitwitch*
St. Ives	*Knaresbrough*
Caſtle-Riſing	*Rippon*
Higham Ferrars	*Boroughbridge*
Morpeth	*Aldborough*, in *Yorkſhire*
Boroughs 14	Members 25

By Queen ELIZABETH.

Eaſtlow	*Yarmouth*
Tregoney	*Newport* in the Iſle of *Wight*
Fowey	*Stockbridge*
St. Germains	*Newton*
St. Mawes	*Chriſt-Church*
Kellington	*Lymington*
Boralſton	*Whitchurch*
Corfe-Caſtle	*Andover*
Cirenceſter	*Tamworth*
Maidſtone	*Aldborough*, in *Suffolk*
Queenborough	*Sudbury*
Newtown	*Eye*
Clithero	*Haſlemere*
Eaſt-Retford	*Richmond*
Biſhops-Caſtle	*Beverley*
Minehead	
Boroughs 31	Members 62

By King JAMES I.

Agmondeſham	*Hertford*
Wendover	*Oxford* Univerſity
Great Marlow	*Ilcheſter*
Cambridge Univerſity	*St. Edmondsbury*
Truerton	*Everſham*
Harwich	*Bewdley*
Tewksbury	*Pontefract*
Boroughs 14	Members 27

The END of the SIXTH VOLUME.

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